

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY

TECHNICAL REVIEW COMMITTEE

MEETING: **TRC 5-7-24 & ZBA 5-29-24**

SUBJECT: **Special Use Permit SUP-24-01 and Variance V-24-01 – Duke Energy Laydown Yard**

PRESENTER: **Matt Champion**

ATTACHMENTS:

1. **Staff Report & Oblique Photos**
2. **Variance Application**
3. **Special Use Permit Application**
4. **Major Site Plan Application**
5. **Major Site Plan**

SUMMARY OF REQUEST: **Major Site Plan review for SR: 2.10 Outdoor Storage >5,000SQFT**

SUGGESTED MOTION:

I move that the TRC approve the major site plan for Duke Energy Laydown Yard &

I recommend forwarding the Special Use Permit and Variance to the Zoning Board of Adjustment



Henderson County, North Carolina Code Enforcement Services

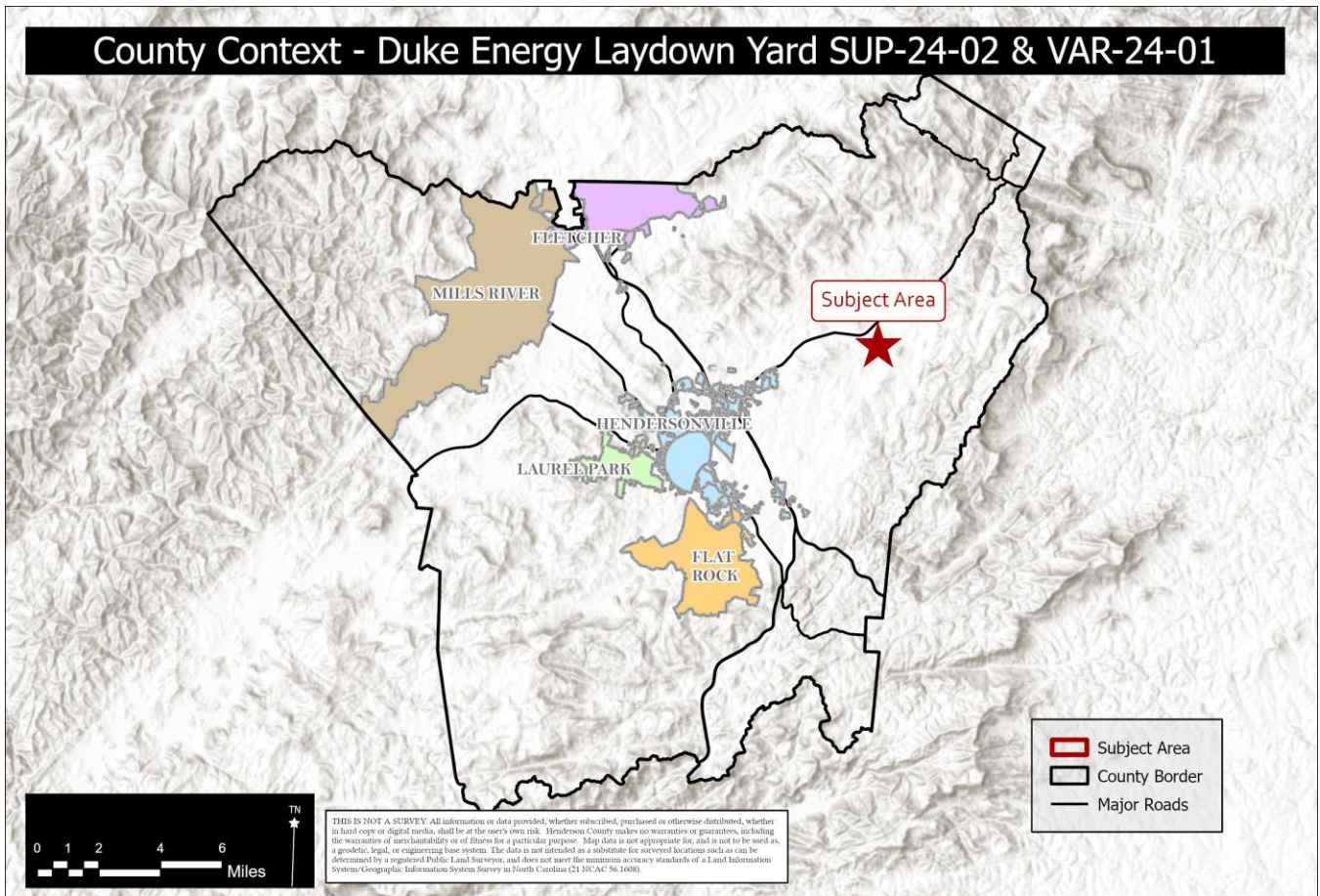
1. Committee Request

- 1.1. **Applicant:** Duke Energy Carolinas, LLC
- 1.2. **Request:** Special Use Permit & Variance
- 1.3. **PIN:** 9690-86-8883
- 1.4. **Size:** 16.92 Acres
- 1.5. **Location:** 107 Laycock Rd, Hendersonville, NC 28792
- 1.6. **Supplemental Requirements:**

SR 2.10. *Outdoor Storage greater than 5,000 square feet*

- (1) Locational Requirements. Storage areas shall not be placed in a front yard.
- (2) Screening. Screen Class Three (3) or Four (4) shall be provided consistent with the requirements of §42-181 (Screen Classification).

Map A: County Context Map



Property Owner: Duke Energy Carolinas, LLC Agent: Brian Blake, PE
 Assessed Acreage: 16.92 Acres PIN: 9690-86-8883
 Current Zoning: Residential Two Rural (R2R)



2. History & Characteristics:

2.1. **Current Property Owners:** Duke Energy Carolinas, LLC originally acquired the subject area through a General Warranty Deed on September 19, 2018.

2.2. **Natural Resources:**

2.2.1. **Streams:** The subject area does contain some surface water sources.

2.2.2. **Slopes:** The subject area only contains slopes between 0% to 16%.

Map B: Aerial Map



Property Owner: Duke Energy Carolinas, LLC Agent: Brian Blake, PE
Assessed Acreage: 16.92 Acres PIN: 9690-86-8883
Current Zoning: Residential Two Rural (R2R)

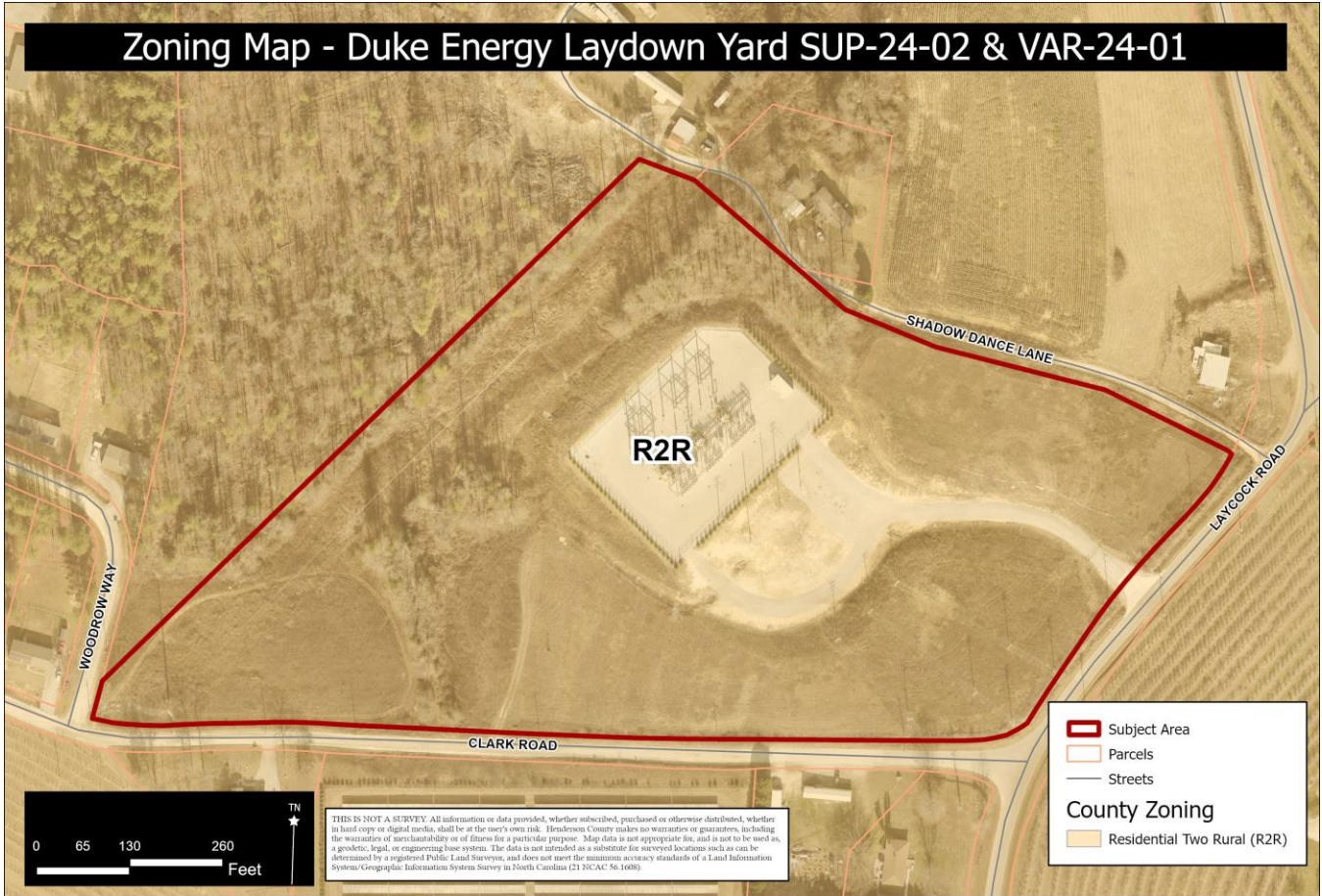


3. Current Conditions

3.1. **Current Use:** The subject area currently contains an existing utility substation that was approved by the Technical Review Committee on October 2, 2018. The utility station was constructed between 2020 and 2022 according to aerial photos. The rest of the subject area is vacant with minor improvements.

3.2. **Adjacent Area Uses:** The surrounding properties contain residential structures, agricultural land, vacant land, and a solar generation facility across Clark Rd.

Map C: Zoning Map



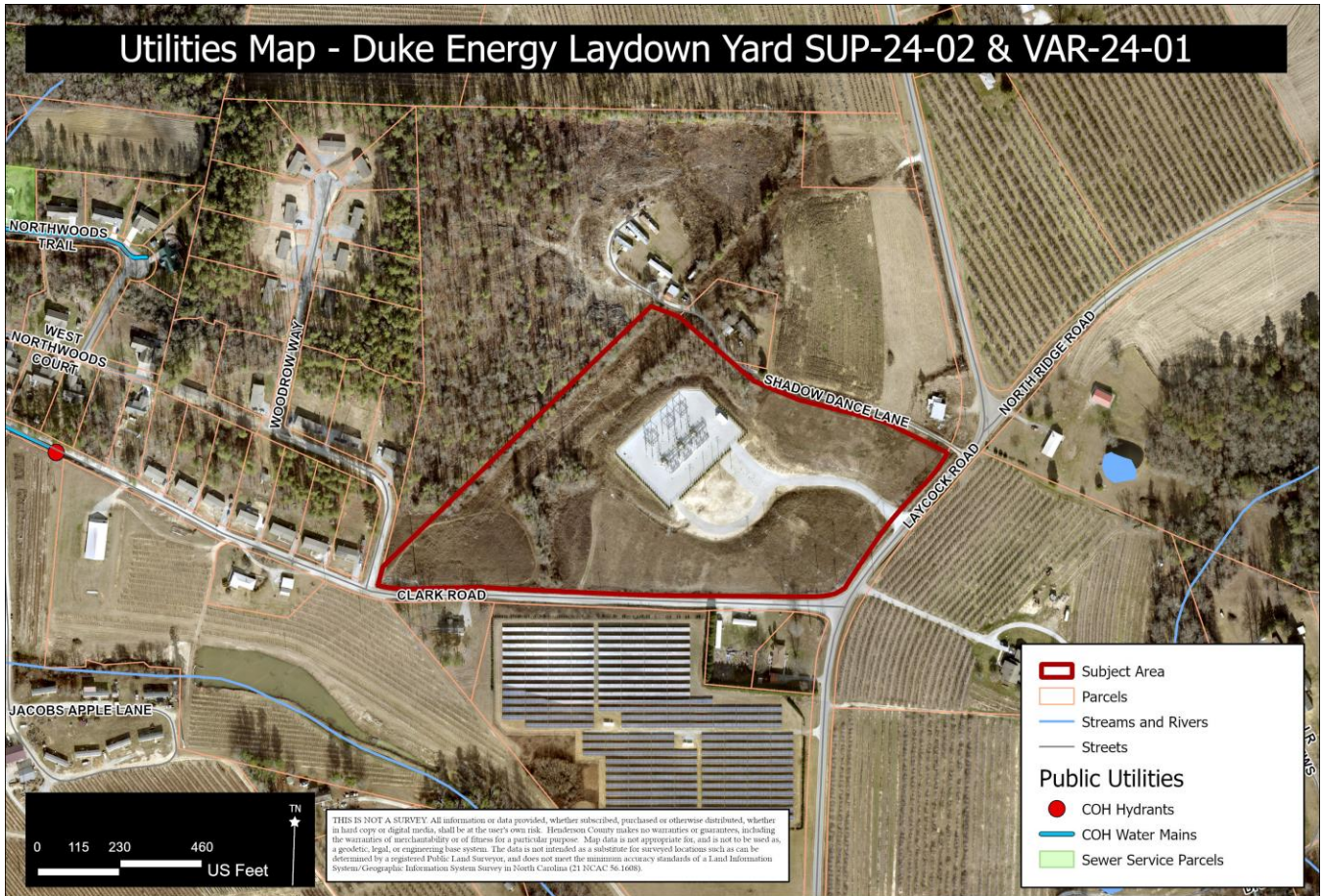
Property Owner: Duke Energy Carolinas, LLC Agent: Brian Blake, PE
Assessed Acreage: 16.92 Acres PIN: 9690-86-8883
Current Zoning: Residential Two Rural (R2R)



3. **Zoning** The subject area is located within the Residential Two Rural (R2R) zoning district.

- 3.1 **Residential Two Rural (R2R):** The purpose of Residential District Two Rural (R2R) is to foster orderly growth where the *principal use* of land is residential. The intent of this district is to allow for low to medium density *residential development* and rural commercial and light industrial development consistent with the recommendations of the *Comprehensive Plan*. This general *use district* is typically meant to be utilized outside areas designated as Utility Service Area (USA) in the *Comprehensive Plan*. (LDC §42-29)
- 3.2 **Adjacent Zoning:** Residential Two Rural (R2R) is found in all directions of the subject area.

Map D: Public Utilities Map



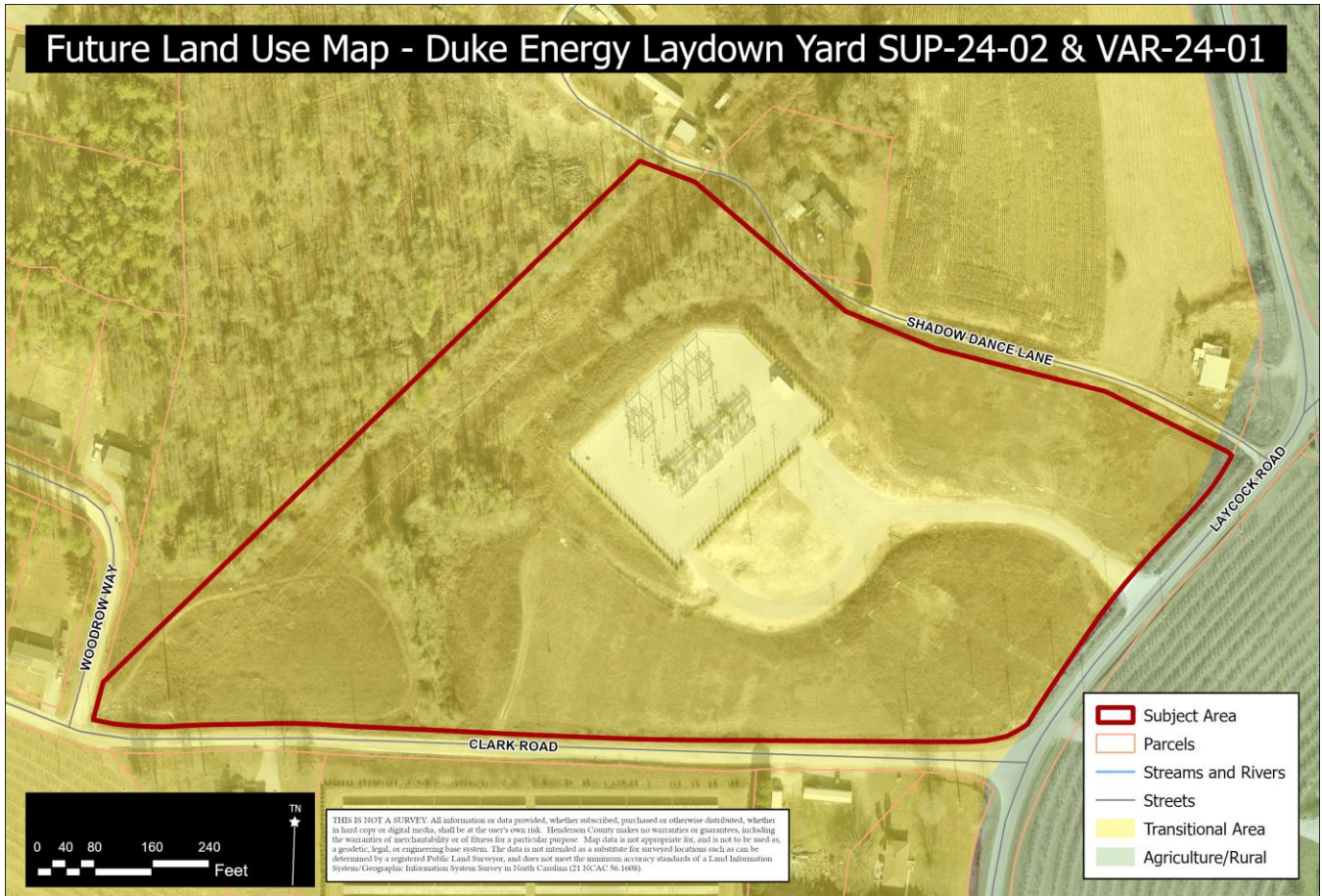
Property Owner: Duke Energy Carolinas, LLC Agent: Brian Blake, PE
Assessed Acreage: 16.92 Acres PIN: 9690-86-8883
Current Zoning: Residential Two Rural (R2R)



- 4. **Floodplain /Watershed Protection** The subject area is not encumbered by a Special Flood Hazard Area. The property is not in a Water Supply Watershed district. There is one known surface water found on the subject area according to the USGS.

- 5. **Water and Sewer** This property will not be served by public or private water or sewer.
Public Water: N/A
Public Sewer: N/A

Map E: 2045 Future Land Use Map



Property Owner: Duke Energy Carolinas, LLC Agent: Brian Blake, PE
 Assessed Acreage: 16.92 Acres PIN: 9690-86-8883
 Current Zoning: Residential Two Rural (R2R)



6. 2045 Comprehensive Plan Compatibility The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in a Transitional Area character area (See Map E).

- a. **Transitional Area:** From Part 2 page 44, “Transitional Area encompasses residential areas of limited density. Conservation subdivisions should be encouraged in these areas to provide and protect open space.
 - i. **Where:** Outside the core of the Utility Service Area and working agricultural lands
 - ii. **Density:** The maximum allowable density range is two to four units per acre (gross density)
 - iii. **Uses:** Single family residential, potentially some appropriately sized multi-family as part of planned developments, agricultural uses

7. Proposal The applicant is proposing to develop two portions of the subject area as a laydown yard/graveled parking area for ongoing utility work throughout Henderson County. The proposed outdoor storage areas will total approximately 3.7 acres that will be enclosed with an 8’ tall security fence with landscaping. The outdoor storage areas will be covered by gravel and accessed through the existing utility substation driveway. The major site plan does show an additional driveway access off Clark Rd to the 2.2 acres outdoor storage area. Both access points leading to

the proposed outdoor storage area will be gated. The existing utility substation will remain unchanged.

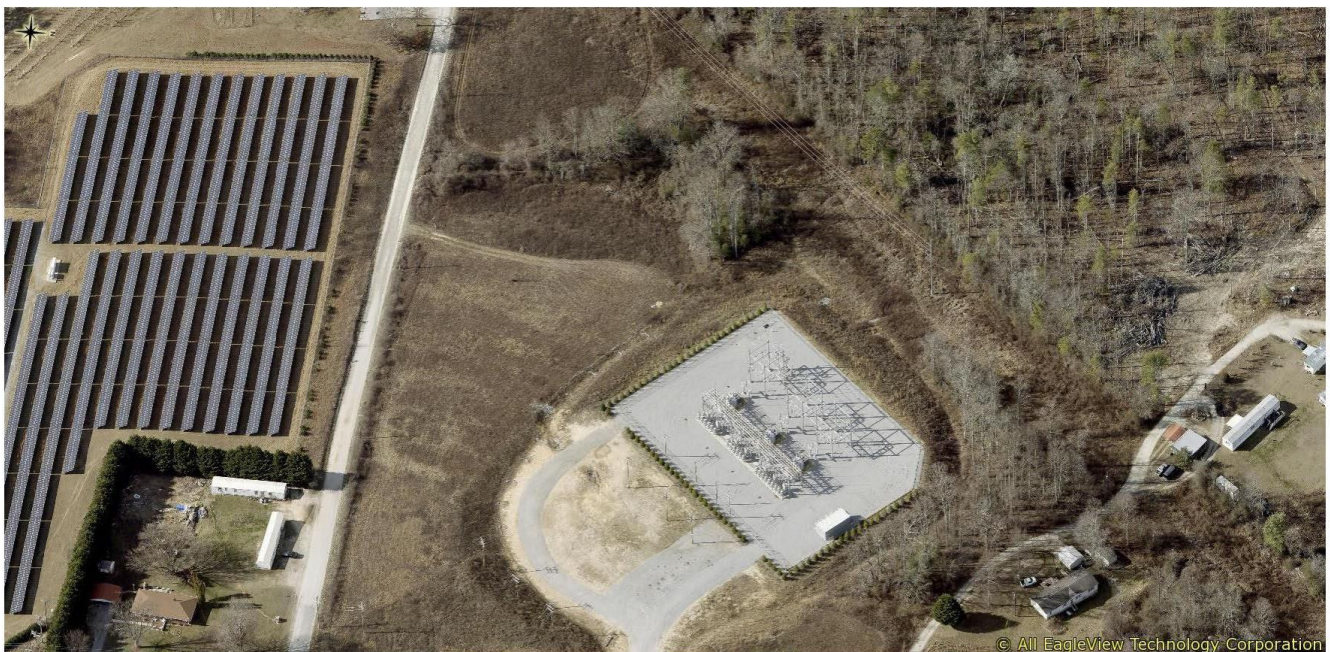
8. Landscaping The applicant will be required to install a Screen Class Three (3) or Screen Class Four (4) around the proposed outdoor storage area.

8.1. A Screen Class Three (3) consists of a fence or wall constructed with a minimum height of six (6) feet, that is at least 75 percent *opaque*, where all spaces are evenly distributed, and with the finished side of the fence facing the adjacent property or *road*. Fences longer than 20 linear feet shall be landscaped with: a row of *shrubs* spaced a maximum of ten (10) feet apart, or a row of *evergreen trees* planted no more than 15 feet apart.

8.2. A Screen Class Four (4) consists of a fence or wall constructed with a minimum height of eight (8) feet designed to facilitate the movement of maintenance and emergency response equipment to and from the proposed site. Gates should be secured at all times (unless for maintenance, inspection, or other unforeseen instances) following the completion of construction. Fencing may be in common with other *existing uses* on site. Fences longer than 20 linear feet shall be landscaped (excluding the gate area) with: a continuous hedge of *evergreen shrubs* planted in a five (5) foot strip spaced a maximum of eight (8) feet apart. The *Zoning Administrator* may require additional *screening* to minimize adverse impacts of ground level lighting (where installed)

9. Oblique Aerial Photos

View from East



View from North



View from South



View from West



01/05/2024

Application No. _____

**HENDERSON COUNTY
VARIANCE APPLICATION FORM**

GENERAL INFORMATION

Date of Application: 4/16/24
Previously Submitted (Circle One): Yes No
Date of Pre-Application Conference: 3/11/24
Site Plan Attached (Circle One): Yes No

PARCEL INFORMATION

Property Address 107 Laycock Road
PIN: 9690868883 Deed Book/Page: 3252/294 Acreage: 16.92
Zoning District: R2R Fire District: Edneyville Watershed: French Broad Floodplain: X
Driving Directions: From Hendersonville, travel east on US-64 for 7.3 miles. Turn right onto Laycock Road. The site will be on the right side after 0.8 miles.

REASON FOR VARIANCE Outdoor storage cannot be entirely located outside the "front yard"
FRONT SETBACK (feet/foot) 20 ft
SIDE SETBACK (feet/foot) 15 ft
REAR SETBACK (feet/foot) 10 ft

PROPERTY OWNER CONTACT INFORMATION:

Name: Duke Energy Carolinas, LLC Phone: (864) 209-9518
Address: 555 Brevard Rd City, State, and Zip: Asheville, NC 28806

Applicant:

Name: Darin Hill Phone: (828) 243-0645
Address: 557 Spartanburg Highway City, State, and Zip: Hendersonville, NC 28792

Agent:

Name: _____ Phone: _____
Address: _____ City, State, and Zip: _____

Agent Form (Circle One): Yes No

Plan Preparer:

Name: S&ME - Brian Blake, PE Phone: (828) 687-9080
Address: 44 Buck Shoals Road, Suite C-3 City, State, and Zip: Arden, NC 28704

SITE PLAN REQUIREMENTS

Site plan of property showing existing structures, natural features (i.e. streams, ponds, etc.) proposed building or addition and indicating distance from such to the edge of right-of-way (centerline for variance request in the R-40, WR, or SW districts) and to the side and rear lot lines, as applicable. **It is required that the site be staked or flagged. The Zoning Administrator will take photos of the site and the staked or flagged area. Show placement of well & septic system and drain field if applicable and distances from structures.**

NOTE: Site plan not to exceed 11 X 17 size. Anything submitted larger than 11 X 17, the applicant must provide 12 copies with the application form.

STANDARDS FOR REVIEW

The Zoning Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach the following conclusions as a prerequisite to the issuance of a variance. State facts and argument in support of each of the following:

SECTIONS A & D MUST BE ANSWERED BY APPLICANT OR AGENT

A. There are practical difficulties or unnecessary hardships in carrying out the strict letter of this Chapter, as demonstrated by:

1. The fact that, if the applicant complies with the literal terms of this Chapter, he/she cannot secure a reasonable return from, or make a reasonable use of, the property. (It is not sufficient that failure to grant the variance simply make the property less valuable.)

Duke Energy wishes to store and stage materials to aid projects in the area at a property where there is an existing substation. The ordinance states that outdoor storage may not be placed in the front yard. Given the constraints of the site, the storage area must be located at least partly in the front of the property. The substation occupies approximately 3 of the 16 acres of the property but it cannot be used for non-utility uses given the existing substation.

2. The hardship of which the applicant complains results from unique circumstances related to the applicant's land. (Note: Hardships suffered by the applicant common with his neighbors do not justify a variance. Unique personal or family hardships are irrelevant since a variance, if granted, runs with the land.)

The subject property is fronted on three sides by road right-of-way and contains an existing electrical substation with multiple overhead electric wires. The rear portion of the property contains the stormwater and erosion control basin, steep grades, overhead power lines and established woods which make locating the storage entirely behind the substation unrealistic.

3. The hardship is not the result of the applicants own action.

The hardship is based primarily due to the fact that it has road frontage on three sides meaning a majority of the site could be considered "front yard" with the fourth side containing steeper grades, overhead electric lines, and wooded areas.

B. The variance is in harmony with the general purpose and intent of the Land Development Code and will preserve its spirit. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

Outdoor storage is permitted with special use approval and the construction will comply with all other regulations, utilizing class four evergreen landscape screening surrounding the entire storage area. Adjacent land use varies but includes low density residential, undeveloped property, agriculture, and a solar farm.

C. The variance will secure the public safety and welfare and will do substantial justice. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.)

The storage area will aid in the construction and maintenance of utility projects in the surrounding areas. Operating the storage area at the subject property is the most efficient use of utility resources to improve and maintain existing and new electrical utilities in Henderson County.

SECTIONS A & D MUST BE ANSWERED BY APPLICANT OR AGENT

D. The variance shall not be based on the existence of a nonconforming use of neighboring land or structures in the same district, or permitted nonconforming uses in other districts, and shall in no way constitute a reason for the requested variance.

The need for a variance is not based on any nonconforming adjacent properties, it is based solely on the conditions of the subject property.

I certify that the information shown above is true and accurate and is in conformance with the Land Development regulations of Henderson County.

Darin Hill
Print Applicant (Owner or Agent)
[Signature]
Signature Applicant (Owner or Agent)

04/16/2024
Date

County Use Only
Fee: \$ _____ Paid: _____ Method: _____ Received by: _____ Permit#: _____

**HENDERSON COUNTY
CODE ENFORCEMENT SERVICES APPOINTMENT OF AGENT FORM (OPTIONAL)**

I _____ owner of property located on _____,
(Name) (Street Address)
recorded in _____ and having a parcel identification number of _____,
(Deed Book/Page) (PIN)

located in Henderson County, North Carolina, do hereby appoint _____,
(Agent's Name)
_____, to represent me in an application to the Code Enforcement Services
(Agent's phone number)

Department and authorize him/her to act as my agent in all matters, 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) (Date)

**HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

GENERAL INFORMATION

Date of Application: 4/16/24

Previously Submitted (Circle One): Yes No

Date of Pre-Application Conference: 3/11/24

Site Plan Attached (Circle One): Yes No

Traffic Impact Study Required (Circle One): Yes No

SPECIAL USE PERMIT INFORMATION

Type of use to be permitted: Outdoor storage SR #: _____

Existing Structures or Uses on property: Existing electric utility substation

Road System (Circle): Public Private

Water System (Circle): Individual Community Public (Municipal or County) *N/A

Sewer System (Circle): Individual Community Public (Municipal or County)*N/A

SITE PLAN REQUIREMENTS

If a minor or major site plan is not specifically required, the applicant shall submit a site plan with the following items:

- Dimensions of property.
- Location of existing and proposed structures (including accessory structures), and general use thereof.
- Setbacks of existing and proposed structures from property lines and edge of right-of-way for roads (from centerline of roads for uses located in the R-40, WR, or SW districts).
- Separation of existing and proposed structures from one another.
- Parking and off/on loading areas
- Location of signs (including sign dimensions, height, type of material, lighting).
- Location and dimensions of existing and proposed roads / driveways and their entrance/exits.
- Location of dumpsters.
- Location and general description of any fences, landscaping or other buffering (proposed or existing).

Site plan not to exceed 11 X 17 size. Anything submitted larger than 11 X 17, the applicant must provide 12 copies with the application form.

PARCEL INFORMATION

PIN: 9690868883 Deed Book/Page: 3252/294 Tract Size (Acres): 16.92

Zoning District: R2R Fire District: Edneyville Watershed: French Broad Floodplain: X

Location of property to be developed: The property is located immediately northwest of the intersection of Laycock Road and Clark Road at 107 Laycock. The location of existing and proposed features on the property are shown on the site plan.

CONTACT INFORMATION

Property Owner:

Name: Duke Energy Carolinas, LLC Phone: (864) 209-9518

Address: 555 Brevard Rd City, State, and Zip: Asheville, NC 28806

Applicant:

Name: Darin Hill Phone: (828) 243-0645

Application No. _____

Address: 557 Spartanburg Highway City, State, and Zip: Hendersonville, NC 28792

Agent:

Name: _____ Phone: _____

Address: _____ City, State, and Zip: _____

Agent Form (Circle One): Yes No

Plan Preparer:

Name: S&ME - Brian Blake, PE Phone: (828) 687-9080

Address: 44 Buck Shoals Road, Suite C-3 City, State, and Zip: Arden, NC 28704

STANDARDS FOR REVIEW

The Land Development Code imposes the following GENERAL REQUIREMENTS on the use requested by the applicant. Under each requirement, the applicant should explain, where applicable, how the proposed use satisfies these requirements:

- A. General Requirement #1: The use will not materially endanger the public health, safety or welfare:
The gravel storage area is proposed on a property which already has a Duke Energy substation. The storage areas will be protected by 8' high security fencing with a locked gate when not in use and screened by landscaping on all sides. The storage area will hold non-hazardous materials and equipment needed for utility projects and maintenance for nearby areas.

- B. General Requirement #2. The use will not substantially injure the value of property or improvements in the area.
The existing use of the property is energy substation which will remain. The storage area will be screened by evergreen vegetation on all sides and will only be operated during regular business hours. The storage area will facilitate utility projects and improvements for nearby areas.

- C. General Requirement #3. The use will be in harmony with the surrounding area.
Surrounding property uses include single family residential (lots greater than 0.5 acres), agriculture, undeveloped woods, and a solar farm. The substation and storage areas will occupy less than 50% of the property and will preserve wooded areas that currently exist.

The Land Development Code also imposes the following SPECIFIC REQUIREMENTS on the use requested by the applicant. The applicant should be prepared to demonstrate that satisfactory provisions have been made for the following, where applicable.

The proposed use shall be located and developed in such a manner as to:

- a. Comply with all applicable local, state and federal statutes, ordinance and regulations.
In addition to Henderson County zoning, the following permits will be obtained prior to construction and operation: Henderson County stormwater, NCDOT Driveway encroachment, NC DEQ Erosion/Sediment Control. Duke Energy will maintain compliance during operation.
- b. Be in accordance with the Comprehensive Plan, Long Range Transportation Plans and Comprehensive Transportation Plans of the county and/or Long Range Transportation Plans and comprehensive Transportation Plans of nay municipality of the County.
The property is designated as Transitional Area on the comprehensive plan future land use map and is outside of the urban growth boundary but within the utility service area. Expansion of electric utilities will be necessary to realize planned development in the area.

- c. Minimize the effects of noise, glare, dust, solar access and odor on those persons residing or working in the neighborhood of the proposed use.

The surface of the storage area will be gravel which will minimize dust. Noise from operations will not be expected every day and will be limited to regular business hours. Landscaping will obscure the sight of stored items and no odor or other impacts are expected.

- d. Minimize the environmental impacts on the neighborhood including the following groundwater, surface water, wetlands, endangered/threatened species, archeological sites, historic preservation sites and unique natural areas.

The uncompacted gravel will allow infiltration of stormwater and avoid any increase in runoff condition offsite. No waters of the state or sensitive resources will be impacted by the project.

Show that satisfactory provision/arrangement has been made (where applicable or required) concerning:

- a. Ingress and egress to property and proposed structures thereon (with particular reference to automotive/pedestrian safety/convenience and traffic flow/control).

The existing property entrance from Laycock Road will be maintained and a second access will be built from Clark Road. NC DOT approval is pending. The location of the ingress and egress are shown on the site plan.

- b. Off-street parking and loading areas.

There will be no loading areas nor specifically designated parking. Workers will park either in the existing gravel area or within the proposed storage area while working on site. Items to be stored on site may include vehicles from time to time.

- c. Utilities (with particular reference to locations, availability and compatibility).

The current use of the property is electrical distribution. The proposed storage area will operate without the need for additional utilities.

- d. Buffering and landscaping (with particular reference to type, location and dimensions).

The storage area will be fenced in with an 8' security fence. The fencing will be screened by a class 4 landscape buffer which will have evergreens planted at 8' spacing around the entire storage area. Portions of the west side have an existing tree line to provide screening.

- e. Structures (with particular reference to location, size and use).

No structures are proposed in this application. There is an existing energy substation on the property.

I certify that the information shown above is true and accurate and is in conformance with the Land Development regulations of Henderson County.

DARIN HILL

Print Applicant (Owner or Agent)

Darin Hill

Signature Applicant (Owner or Agent)

04/16/2024
Date

County Use Only

Fee: \$ _____ Paid: _____ Method: _____ Received by: _____

Authority to grant the requested permit is contained in the Land Development Code, Sections: _____

Community Planning Area: _____

**HENDERSON COUNTY
MAJOR SITE PLAN REVIEW APPLICATION**

CONTACT INFORMATION

Property Owner:

Name: Duke Energy Carolinas, LLC Phone: (864) 209-9518

Complete Address: 957 Spartanburg Hwy Hendersonville, NC 28792

Applicant:

Name: Darin Hill Phone: (828) 243-0645

Complete Address: 557 Spartanburg Highway Hendersonville, NC 28792

Agent:

Name: _____ Phone: _____

Complete Address: _____

Agent Form (Circle One): Yes No

Plan Preparer:

Name: S&ME - Brian Blake, PE Phone: (828) 687-9080

Complete Address: 44 Buck Shoals Road, Suite C-3 Arden, NC 28704

GENERAL INFORMATION

Date of Application: 4/16/24

Site Plan Attached (Circle One): Yes No

PARCEL INFORMATION

PIN: 9690868883

Tract Size (Acres): 16.92

Zoning District: R2R

Fire District: Edneyville

Supplemental Requirement# _____

Watershed: French Broad

Permitted by Right _____

Floodplain: X

Special Use Permit _____

Location / Property to be developed: _____

The property is located immediately northwest of the intersection of Laycock Road and Clark Road at 107 Laycock Rd. The location of existing and proposed features are shown on the site plan.

County Use Only

Fee: \$ _____ Paid: _____ Method: _____ Received by: _____

EROSION & SEDIMENT CONTROL PLAN

LAYCOCK ROAD PARKING/LAYDOWN AREA

HENDERSONVILLE, HENDERSON COUNTY, NORTH CAROLINA

PROJECT NUMBER 23600232



VICINITY MAP
1" = 2,000'

DRAWING LIST

DRAWING NO.	DRAWING TITLE
1.	COVER
2.	EXISTING CONDITIONS
3.	ZONING SITE PLAN
4.	NC DOT SITE PLAN
5.	E&SC PLAN
6.	E&SC NOTES
7.	E&SC DETAILS
8.	E&SC DETAILS
9.	E&SC DETAILS
10.	SITE DETAILS

PREPARED FOR



DUKE ENERGY CAROLINAS, LLC
957 SPARTANBURG HIGHWAY
HENDERSONVILLE, NORTH CAROLINA 28792

CIVIL ENGINEER

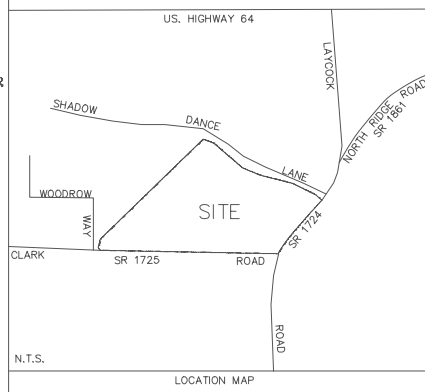


44 BUCK SHOALS ROAD,
UNIT C-3
ARDEN, NC 28704
(828) 687-9080

I, DENNIS CLINKSCALES, CERTIFY THAT THIS PROJECT WAS COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, THAT THIS GROUND SURVEY WAS PERFORMED AT THE 95 PERCENT LEVEL (2 SIGMA) TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS; THAT THE HORIZONTAL ACCURACY IS 1:15000 AND THAT THE VERTICAL ACCURACY IS HALF OF A FOOT AND THAT THE ORIGINAL DATA WAS OBTAINED ON JULY 14, 2023; THAT THE SURVEY WAS COMPLETED ON JULY 14, 2023; THAT CONTOURS SHOWN AS [BROKEN LINES] MAY NOT MEET THE STATED STANDARDS; AND ALL ELEVATIONS ARE BASED ON AN NAVD 1988 DATUM ELEVATION.
I HEREBY CERTIFY THAT THIS PLAT IS OF FOLLOWING TYPE:
G.S. 47-30 (f) (11) (c) (1). That the survey is an existing parcel or parcels of land and does not create a new street or change an existing street.

PROPERTY CONTAINS 18.00 ACRES MORE OR LESS

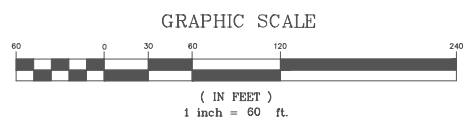
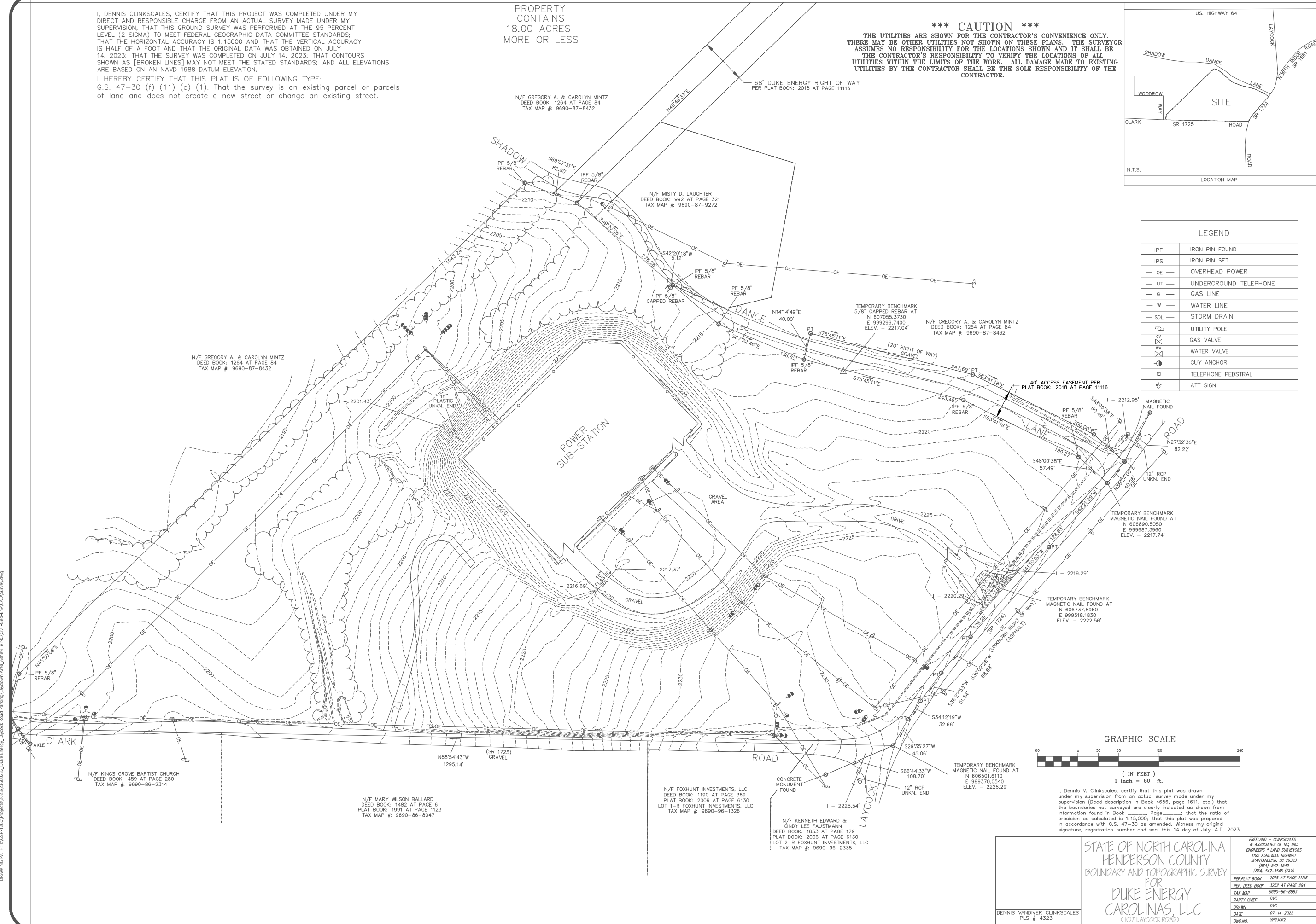
***** CAUTION *****
THE UTILITIES ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



44 BUCK SHOALS ROAD, UNIT C-3 ARDEN, NC 28704 (828) 687-9080



LEGEND	
IPF	IRON PIN FOUND
IPS	IRON PIN SET
— OE —	OVERHEAD POWER
— UT —	UNDERGROUND TELEPHONE
— G —	GAS LINE
— W —	WATER LINE
— SDL —	STORM DRAIN
⊕	UTILITY POLE
⊕	GAS VALVE
⊕	WATER VALVE
⊕	GUY ANCHOR
⊕	TELEPHONE PEDSTRAL
⊕	ATT SIGN



I, Dennis V. Clinkscases, certify that this plat was drawn under my supervision from an actual survey made under my supervision (Deed description in Book 4856, page 1611, etc.) that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____ Page _____; that the ratio of precision as calculated is 1:15,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 14 day of July, A.D. 2023.

STATE OF NORTH CAROLINA
HENDERSON COUNTY
BOUNDARY AND TOPOGRAPHIC SURVEY
FOR
DUKE ENERGY CAROLINAS, LLC
(107 LAYCOCK ROAD)

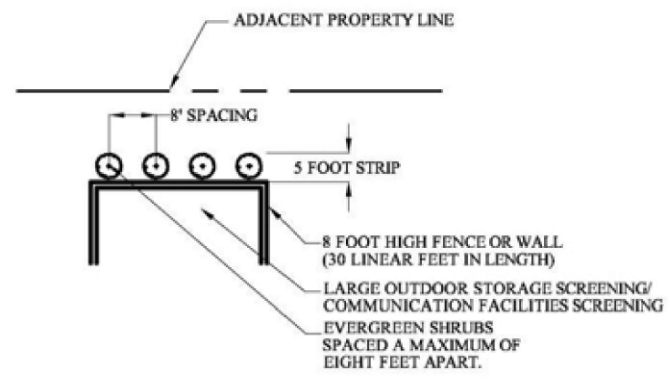
DENNIS VANDIVER CLINKSCALES
PLS # 4323

FREELAND - CLINKSCALES & ASSOCIATES OF NC, INC. ENGINEERS * LAND SURVEYORS
1152 ASHEVILLE HIGHWAY SPARTANBURG, SC 29303
(864) 542-1540 (24X)
REF. PLAT BOOK 2018 AT PAGE 11116
REF. DEED BOOK 3252 AT PAGE 294
TAX MAP 9690-86-8883
PARTY CHIEF DVC
DRAWN DVC
DATE 07-14-2023
DWG. NO. SP23062

NO.	DATE	DESCRIPTION	BY	CHK	APP
1	07/18/2023	SUBMIT FOR CLIENT REVIEW			

EXISTING CONDITIONS	
LAYCOCK ROAD PARKING/LAYDOWN AREA	PROJECT NUMBER
DUKE ENERGY CAROLINAS, LLC	23600232
HENDERSONVILLE, HENDERSON COUNTY, NORTH CAROLINA	DRAWING NUMBER
	2
	11

DRAWING PATH: T:\GSP\126160\Projects\2023\23600232_Duke Energy_Laydown_Road Parking\Layout\Area_Ashville_NC\Cad\Cad-Fin\CAD_Survey.dwg

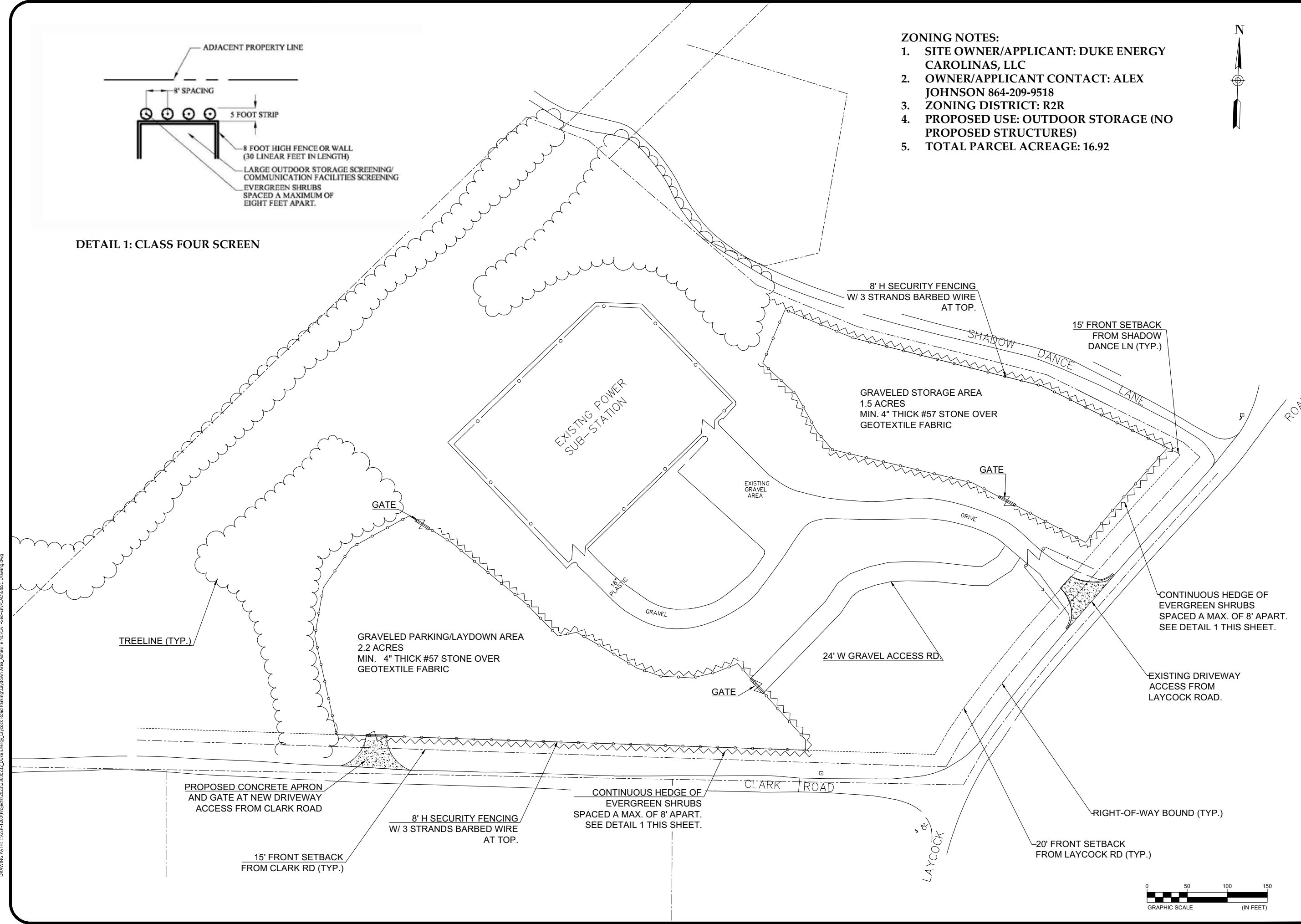


DETAIL 1: CLASS FOUR SCREEN

- ZONING NOTES:**
1. SITE OWNER/APPLICANT: DUKE ENERGY CAROLINAS, LLC
 2. OWNER/APPLICANT CONTACT: ALEX JOHNSON 864-209-9518
 3. ZONING DISTRICT: R2R
 4. PROPOSED USE: OUTDOOR STORAGE (NO PROPOSED STRUCTURES)
 5. TOTAL PARCEL ACREAGE: 16.92

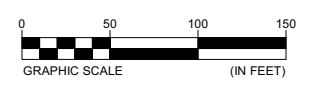


44 BUCK SHOALS ROAD,
UNIT C-3
ARDEN, NC 28704
(828) 687-9080
ENGINEERING FIRM
LICENSE NUMBER: F-0176



NO.	DATE	DESCRIPTION	BY	CHK	APP

ZONING SITE PLAN	
DUKE ENERGY LAYCOCK ROAD PARKING/LAYDOWN AREA HENDERSONVILLE, NORTH CAROLINA	
PROJECT NUMBER 23600232	DRAWING NUMBER 3
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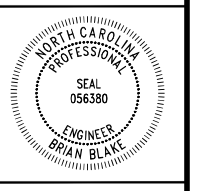


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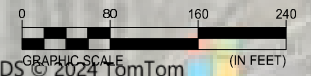


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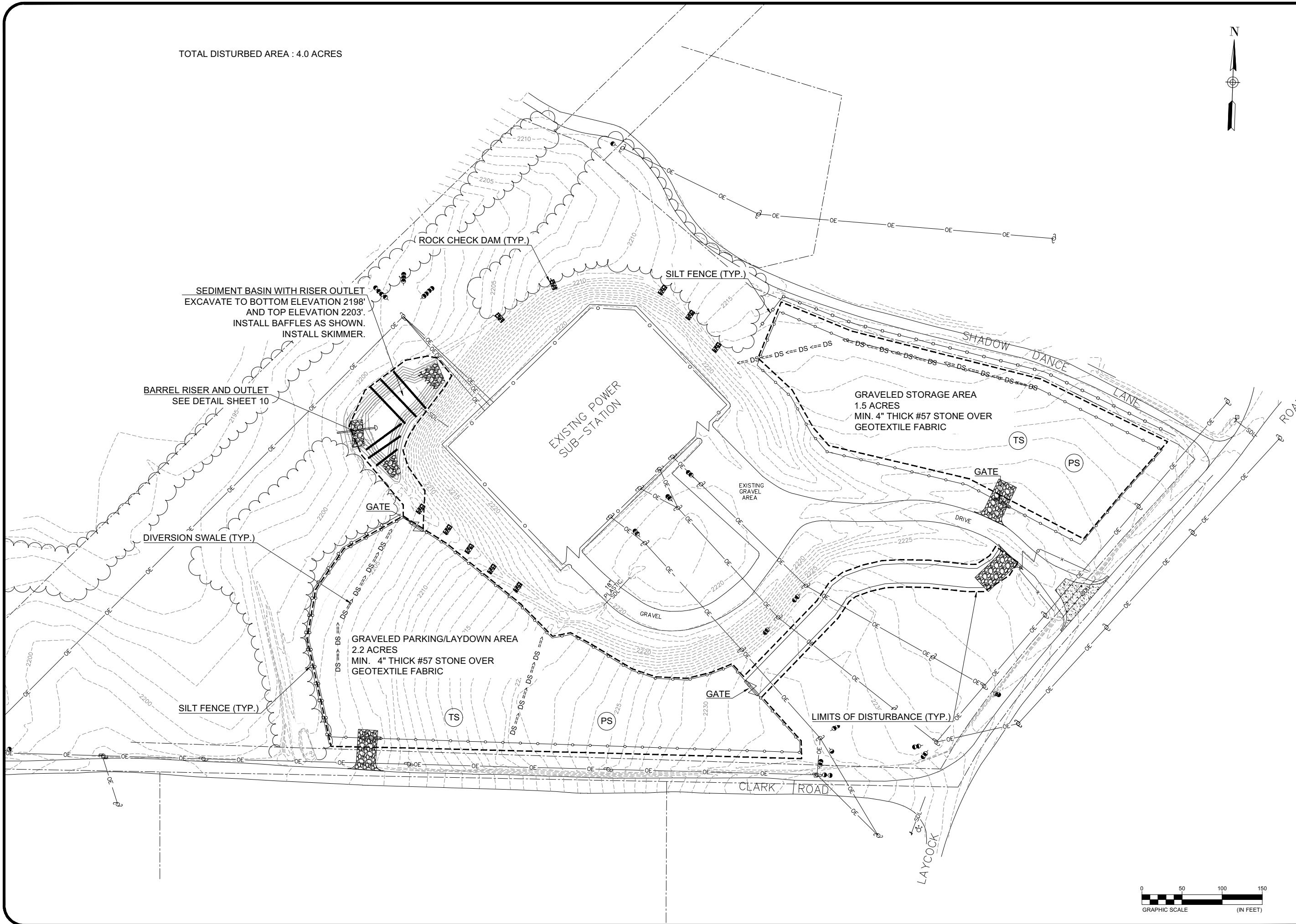
NC DOT SITE PLAN	
DUKE ENERGY LAYCOCK ROAD PARKING/LAYDOWN AREA HENDERSONVILLE, NORTH CAROLINA	
PROJECT NUMBER	23600232
DRAWING NUMBER	4
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TOTAL DISTURBED AREA : 4.0 ACRES



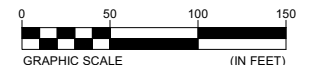
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NO.	DATE	DESCRIPTION	BY	CHK	APP

EROSION & SEDIMENT CONTROL PLAN	
DUKE ENERGY LAYCOCK ROAD PARKING/LAYDOWN AREA HENDERSONVILLE, NORTH CAROLINA	
PROJECT NUMBER	23600232
DRAWING NUMBER	5
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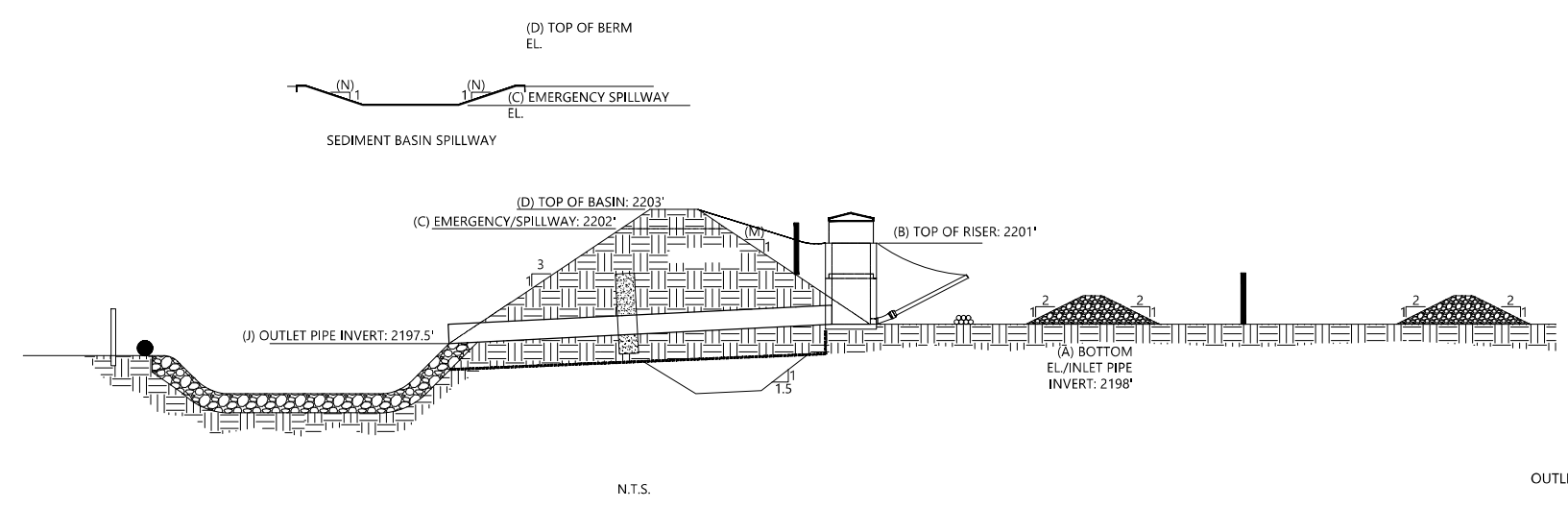


SEDIMENTATION BASIN CONSTRUCTION SPECIFICATIONS:

1. BASIN PREPARATIONS: PLACE TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES PER THE PLANS. CLEAR, GRUB AND STRIP TOPSOIL FROM THE EMBANKMENT TO REMOVE VEGETATION, STUMPS, ROOTS, ORGANIC MATERIAL, TRASH, ROCK MATERIAL AND OTHER OBJECTIONABLE MATERIAL. REMOVE SEDIMENT, PERVIOUS MATERIAL, ORGANIC MATERIAL TO THE DESIGN ELEVATION AND DIMENSIONS OF THE BASIN. KEEP BASIN DRY DURING CONSTRUCTION ACTIVITIES. THE FLOOR OF THE BASIN SHALL BE GRADED TO THE FINAL ELEVATION SHOWN ON THE DRAWINGS AND THE GRADED BASIN SHALL BE COMPACTED WITH A MINIMUM 10-TON SMOOTH DRUM (NON-VIBRATORY) COMPACTOR AND THEN PROOF-ROLLED. PROOF-ROLL THE ENTIRE SEDIMENTATION BASIN FLOOR. THE PROOF ROLLING SHALL BE OBSERVED AND EVALUATED BY THE ENGINEER OR HIS REPRESENTATIVE.
2. PRINCIPAL SPILLWAY, BARREL, AND SKIMMER: CONSTRUCT THE BARREL ACCORDING TO THE BELOW TEMPORARY SEDIMENT BASIN DETAIL. SECURE ALL CONNECTIONS BETWEEN BARREL AND RISER SECTIONS BY APPROVED WATERTIGHT ASSEMBLIES. ATTACH BASIN SKIMMER TO RISER BY APPROVED WATERTIGHT ASSEMBLIES (SEE SKIMMER DETAIL). DO NOT USE PERVIOUS MATERIAL SUCH AS SAND, GRAVEL, SILT, OR CRUSHED STONE AS BACKFILL MATERIAL AROUND THE PIPE. PLACE THE FILL MATERIAL AROUND THE PIPE SPILLWAY IN 4-IN. LOOSE LAYERS AND COMPACT IT AROUND THE PIPE TO 95 PERCENT OR GREATER AS THE REST OF THE EMBANKMENT FILL. CARE MUST BE TAKEN NOT TO RAISE THE PIPE FROM FIRM CONTACT WITH ITS FOUNDATION WHEN COMPACTING UNDER THE PIPE HAUNCHES. PLACE A MINIMUM DEPTH OF TWO FEET OF HAND COMPACTED BACKFILL OVER THE PIPE SPILLWAY BEFORE CROSSING THE PIPE WITH COMPACTION EQUIPMENT OR CONSTRUCTION EQUIPMENT.
3. EMBANKMENT CONSTRUCTION: USE CLEAN FILL MATERIAL BROUGHT TO SITE OR EXCAVATED FROM APPROVED AREAS ON SITE. IT SHALL BE CLEAN MINERAL SOIL, FREE OF ROOTS, WOODY VEGETATION, ROCKS AND OTHER OBJECTIONABLE MATERIAL. SCARIFY AREAS AND EACH COMPACTED LIFT ON WHICH FILL IS TO BE PLACED BEFORE PLACING THE FILL. THE FILL OPTIMUM MOISTURE CONTENT SHALL BE MAINTAINED BETWEEN OPTIMUM AND THREE PERCENT ABOVE OPTIMUM. FILL SHALL BE COMPACTED NOT LESS THAN 95 PERCENT OF THE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D698 METHOD A. THE CONTRACTOR SHALL DEMONSTRATE SOIL DENSITY BY SOIL COMPACTION PER THE PLANS AND SPECIFICATIONS WITH A MINIMUM OF TWO DENSITY TESTS PER LIFT WITH TESTS SPACED EVENLY AND REPRESENTATIVE OF THE EMBANKMENT FILL. ONE FAILED TEST REQUIRES THAT THE LIFT BE RE-COMPACTED AND RE-TESTED AT TWO LOCATIONS UNTIL REQUIRED COMPACTION IS ACHIEVED. NO VEGETATIVE COVER MATERIAL SHALL BE PLACED ON COMPACTED FILL LAYERS BEFORE THE ENGINEER REVIEWS AND APPROVES THE DENSITY DATA FROM THE TESTING PERFORMED. THE ENGINEER MAY EVALUATE COMPACTION AND REPORT THE RESULTS TO THE CONTRACTOR. FAILED SOIL DENSITY TESTS PERFORMED BY THE ENGINEER WILL REQUIRE THAT THE COMPACTED MATERIAL BE REMOVED AND RE-INSTALLED PER THE PLANS AND SPECIFICATIONS.
4. OUTLET DISCHARGE: EFFLUENT FROM THE PRINCIPAL SPILLWAY BARREL FROM THE SEDIMENT BASIN SHALL HAVE AN SEEPAGE DIAPHRAGM DRAIN AND SHALL DISCHARGE TO A PLUNGE POOL (SEE DETAIL).
5. EMERGENCY SPILLWAY: INSTALL THE EMERGENCY SPILLWAY IN THE UNDISTURBED SOIL. TOLERANCE TO DESIGN ELEVATIONS IS +/- 0.2 FEET; TOLERANCE TO DESIGN GRADES IS +/- 1.0 PERCENT; AND TOLERANCE FOR WIDTHS AND LENGTHS IS +/- 1.0-FT. NO DEVIATION FROM THE SPECIFIED TOLERANCES SHALL BE ALLOWED. LINE THE SPILLWAY WITH LAMINATED PLASTIC OR IMPERMEABLE GEOTEXTILE FABRIC. THE FABRIC SHALL HAVE DIMENSIONS LARGE ENOUGH TO COVER THE BOTTOM AND SIDES AND EXTEND ONTO THE TOP OF THE DAM FOR ANCHORING IN A TRENCH. THE EDGES SHALL BE SECURED WITH 8-IN. STAPLES OR PINS. THE FABRIC MUST BE LONG ENOUGH TO EXTEND DOWN THE SLOPE AND EXIT ONTO STABLE GROUND. THE WIDTH OF THE FABRIC SHALL BE ONE PIECE, TO PREVENT WATER FROM ACCESS BENEATH THE FABRIC. JOINING OR SPLICING OF SECTIONS ACROSS THE WIDTH SHALL NOT BE ALLOWED. THE LENGTH OF THE FABRIC MAY BE COMPOSED OF SECTIONS SPANNING THE ENTIRE SPILLWAY WIDTH. UPPER SECTIONS SHALL OVERLAP LOWER SECTIONS SO THAT WATER CANNOT FLOW UNDER THE FABRIC. SECURE THE UPPER EDGE AND SIDES OF THE FABRIC IN A TRENCH WITH STAPLES OR PINS (ADAPTED FROM "A MANUAL FOR DESIGNING INSTALLING AND MAINTAINING SKIMMER SEDIMENT BASINS" FEBRUARY, 1999 J.W. FAIRCLOTH & SON). A 6-IN. VEGETATIVE COVER SHALL BE PLACED ON TOP OF THE GEOTEXTILE FABRIC. EROSION CONTROL MATTING SHALL BE PLACED ON TOP OF THE VEGETATIVE LAYER.
6. INLETS: INSTALL INLETS TO DISCHARGE WATER INTO THE FOREBAYS IN A MANNER TO PREVENT EROSION.
7. EROSION CONTROL: CONSTRUCT THE STRUCTURE SO THAT THE DISTURBED AREA IS MINIMIZED. DIVERT SURFACE WATER AWAY FROM THE BARE AREAS. COMPLETE THE EMBANKMENT BEFORE ADDITIONAL UPSTREAM AREA IS CLEARED. STABILIZE THE EMERGENCY SPILLWAY EMBANKMENT AND ALL OTHER DISTURBED AREAS ABOVE THE CREST OF THE PRINCIPAL SPILLWAY IMMEDIATELY AFTER CONSTRUCTION (REFERENCES: SURFACE STABILIZATION).

MAINTENANCE:

1. CHECK SEDIMENT BASIN AFTER PERIODS OF SIGNIFICANT RUNOFF. REMOVE SEDIMENT AND RESTORE THE BASIN TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT ACCUMULATES TO ONE-HALF THE DESIGN DEPTH AS MARKED BY THE SEDIMENT CLEANOUT STAKE.
2. CHECK THE EMBANKMENT, SPILLWAYS AND OUTLET FOR EROSION DAMAGE AND EVALUATE THE EMBANKMENT FOR PIPING AND SETTLEMENT. MAKE ALL NECESSARY REPAIRS IMMEDIATELY. REMOVE ALL TRASH AND DEBRIS FROM THE RISER AND POOL AREA.
3. INSPECT THE SEDIMENTATION BASIN AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (ONE-INCH OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY. REMOVE SEDIMENT AND RESTORE THE BASIN TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT ACCUMULATES TO ONE-HALF THE HEIGHT OF THE FIRST BAFFLE. PULL THE SKIMMER TO ONE SIDE TO ACCESS SEDIMENT BELOW FOR REMOVAL. EXCAVATE THE SEDIMENT FROM THE ENTIRE BASIN, NOT LIMITED TO THE SKIMMER LOCATION OR WITHIN THE FIRST BASIN CELL. CUT OR REMOVE VEGETATION FROM THE BOTTOM OF THE BASIN THAT LIMITS OPERATION OF THE SKIMMER OR RESTRICTS ITS ABILITY TO FLOAT.
4. REPAIR DAMAGED BAFFLES. RE-ANCHOR BAFFLES IF WATER IS FLOWING UNDERNEATH OR AROUND THEM.
5. REMOVE CLOGS FROM SKIMMER BY JERKING ON THE ROPE TO BOB THE SKIMMER, OR PULL THE SKIMMER TO ONE SIDE OF THE BASIN AND REMOVE THE DEBRIS. CHECK THE ORIFICE INSIDE THE SKIMMER FOR DEBRIS. IF PRESENT, REMOVE THE DEBRIS. IF THE SKIMMER ARM OR BARREL IS CLOGGED, REMOVE THE ORIFICE AND FLUSH WITH WATER TO RESTORE FLOW, OR USE A PLUMBERS SNAKE TO REMOVE THE CLOG. REPLACE THE ORIFICE BEFORE REPOSITIONING THE SKIMMER.
6. CHECK THE FABRIC LINED SPILLWAY FOR DAMAGE AND MAKE REQUIRED REPAIRS WITH FABRIC THAT SPANS THE FULL WIDTH OF THE SPILLWAY. CHECK THE EMBANKMENT, SPILLWAYS, AND OUTLET FOR EROSION DAMAGE, AND INSPECT THE EMBANKMENT FOR PIPING AND SETTLEMENT. MAKE NECESSARY REPAIRS IMMEDIATELY. REMOVE ALL TRASH AND OTHER DEBRIS FROM THE SKIMMER, RISER, AND POOL AREAS.
7. FREEZING WEATHER CAN RESULT IN ICE FORMING IN THE BASIN. PREVENT ICE FROM CLOGGING THE SKIMMER.



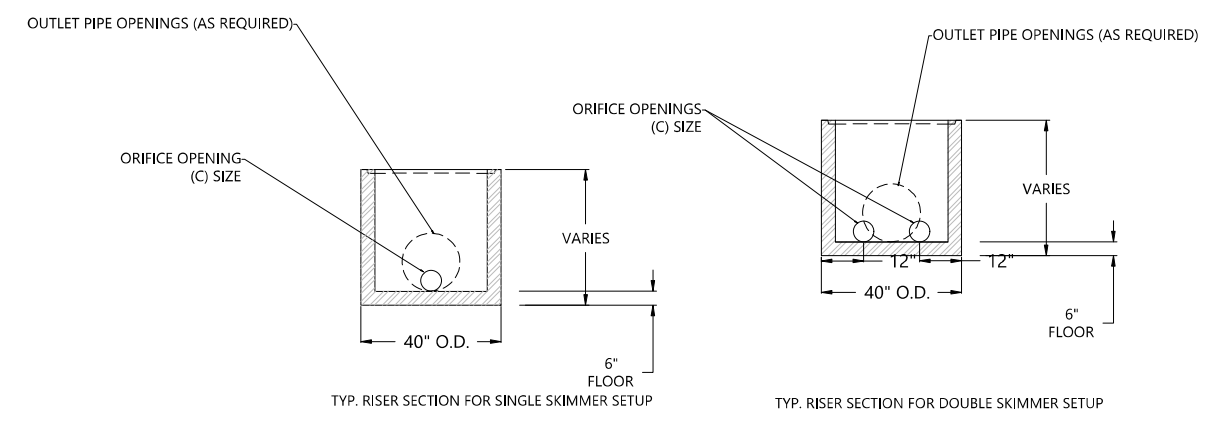
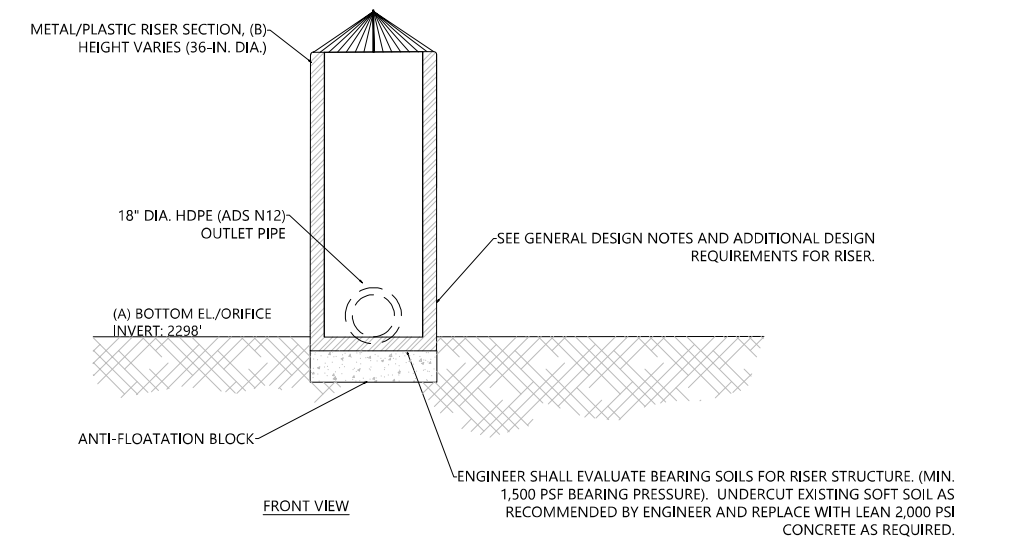
SEDIMENT BASIN CONSTRUCTION SPECIFICATIONS:

1. ASSEMBLE THE SKIMMER AS DESIGNED (PER THE SKIMMER DETAIL).
2. LAY THE ASSEMBLED SKIMMER ON THE BOTTOM OF THE BASIN. SECURE THE CONNECTIONS BETWEEN THE INLET BASIN SKIMMER FLEXIBLE JOINT TO THE RISER ORIFICE BY APPROVED WATERTIGHT ASSEMBLIES. POSITION THE SKIMMER OVER THE SUPPORT PAD. ATTACH A ROPE TO THE SKIMMER AND ANCHOR IT TO THE SIDE OF THE BASIN FOR ACCESS TO THE SKIMMER FOR FUTURE MAINTENANCE.

POST-CONSTRUCTION SPECIFICATIONS:

WHEN THE AREAS CONTRIBUTING SEDIMENT TO THE SYSTEM HAVE BEEN STABILIZED, PROCEDURES CAN BE TAKEN TO RESTORE THE SYSTEM TO ITS PERMANENT USE. THE FOLLOWING REMOVAL AND RESTORATION PROCEDURE IS RECOMMENDED. DURING THIS PROCESS CAREFUL CONSIDERATION SHOULD BE TAKEN TO PROTECT RECEIVING WATERS FROM SEDIMENT POLLUTION AND EROSION DAMAGE.

1. REMOVE EROSION AND SEDIMENT CONTROL DEVICES (SKIMMER, BAFFLES, 30 MIL LINER, AND STAINLESS STEEL STRAP).
2. EXCAVATE THE BASIN TO THE ORIGINAL PROPOSED BOTTOM OF BASIN ELEVATION PER THE PLANS TO REMOVE ANY ACCUMULATED SEDIMENT. MAINTAIN THE DESIGNED SIDE SLOPES AND APPLY SLOPE MATTING PER THE DETAIL.
3. INSTALL RIPRAP BERM (SCDOT CLASS A RIPRAP), AT MINIMUM 5-FT AWAY FROM RISER. RIPRAP BERM IS TO BE USED TO HELP PREVENT THE RISER ORIFICE FROM CLOGGING. SEE DETAIL FOR SIZE AND GEOMETRY OF BERM.
4. STABILIZE THE BASIN AND ANY AREAS DISTURBED DURING EROSION AND SEDIMENT CONTROL DEVICE AND SEDIMENT REMOVAL.



SEDIMENT BASIN WITH RISER OUTLET
N.T.S.

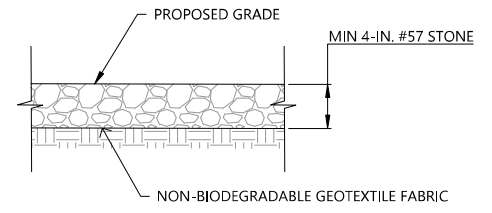
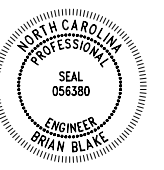
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NO.	DATE	DESCRIPTION	BY	CHK	APP

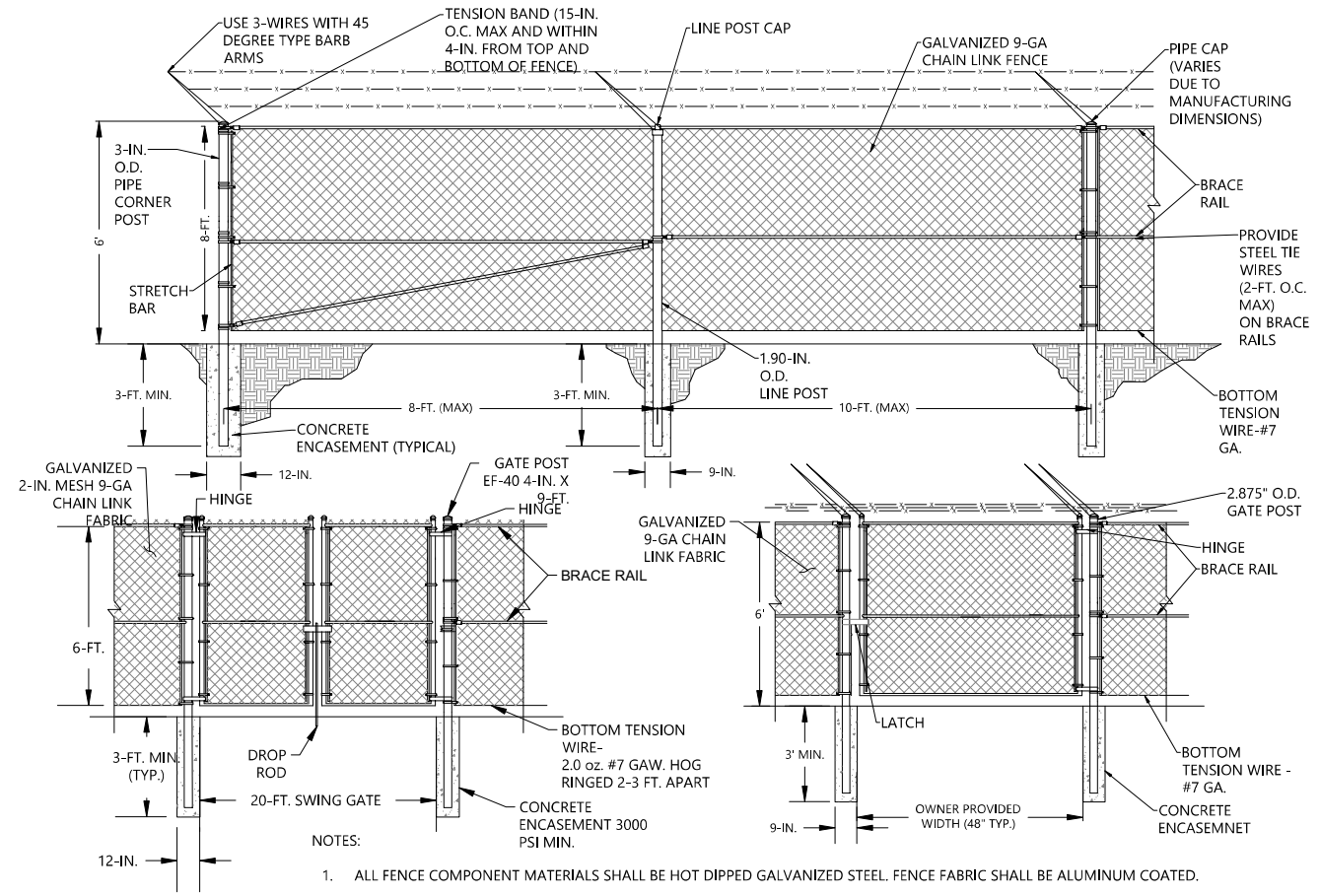
EROSION CONTROL DETAILS	DUKE ENERGY
	LAYCOCK ROAD PARKING/LAYDOWN AREA
	HENDERSONVILLE, NORTH CAROLINA
PROJECT NUMBER	23600232
DRAWING NUMBER	9



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GRAVEL PARKING AREA SECTION
N.T.S.



NOTES:
1. ALL FENCE COMPONENT MATERIALS SHALL BE HOT DIPPED GALVANIZED STEEL. FENCE FABRIC SHALL BE ALUMINUM COATED.

SECURITY FENCING
N.T.S.

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NO.	DATE	DESCRIPTION	BY	CHK	APP

SITE DETAILS	DUKE ENERGY
	LAYCOCK ROAD PARKING/LAYDOWN AREA HENDERSONVILLE, NORTH CAROLINA

PROJECT NUMBER	23600232
DRAWING NUMBER	