

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: June 17, 2025

SUBJECT: Major Subdivision for E A Henderson Land Company LLC
Subdivision (07-2025-M)

STAFF CONTACT: Carlos Martinez, Planner

ATTACHMENTS:

1. Staff Report
2. Subdivision Survey

SUMMARY OF REQUEST:

A Major Subdivision application was submitted by E A Henderson Land Company LLC to recombine two lots and subdivide them into three lots in the Local Commercial (LC) zoning district. The subject area is located off Howard Gap Rd (SR 1006) in the Blue Ridge Township. The parcels consist of 16.23 acres. The proposed subdivision will be accessed from Howard Gap Rd (SR 1006).

TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:

Staff has found that the Master Plan meets the standards of the subdivision regulations of Chapter 42, Henderson County Land Development Code (LDC). Staff recommends the Master Plan be subject to the property owner addressing any issues raised by the TRC and addressing the comments listed in the Staff Report.

Suggested Motion:

I move that the TRC approve the Master Plan for the E A Henderson Land Company LLC Major Subdivision with conditions listed in the staff report or as discussed by TRC.



STAFF REPORT

HENDERSON COUNTY PLANNING DEPARTMENT

100 North King Street | Hendersonville, NC 28792 | (828) 697-4819

Prepared by:
Carlos Martinez, Planner

APPLICATION #
07-2025-M

TECHNICAL REVIEW COMMITTEE MEETING DATE:
June 17, 2025

PROPERTY OWNER
E A Henderson Land Company LLC

PROPERTY LOCATION/ADDRESS
Blue Ridge Township

APPLICANT
E A Henderson Land Company LLC

PIN(S):
9589-30-0973 and 9589-30-5575

SUMMARY OF REQUEST

For the two above-referenced PINs (hereafter the subject area) to be recombined and subdivided into three within Henderson County's Local Commercial (LC) district.

Existing Zoning

Local Commercial

FLUM Character Area

Neighborhood Anchor and Agriculture/Rural

Existing Land Use

Warehouse and Vacant

Site Improvements

3

Request Acreage

16.23

ADJACENT ZONING

North LC

East R2R

South R2R

West R2R

PROPERTY CLASS

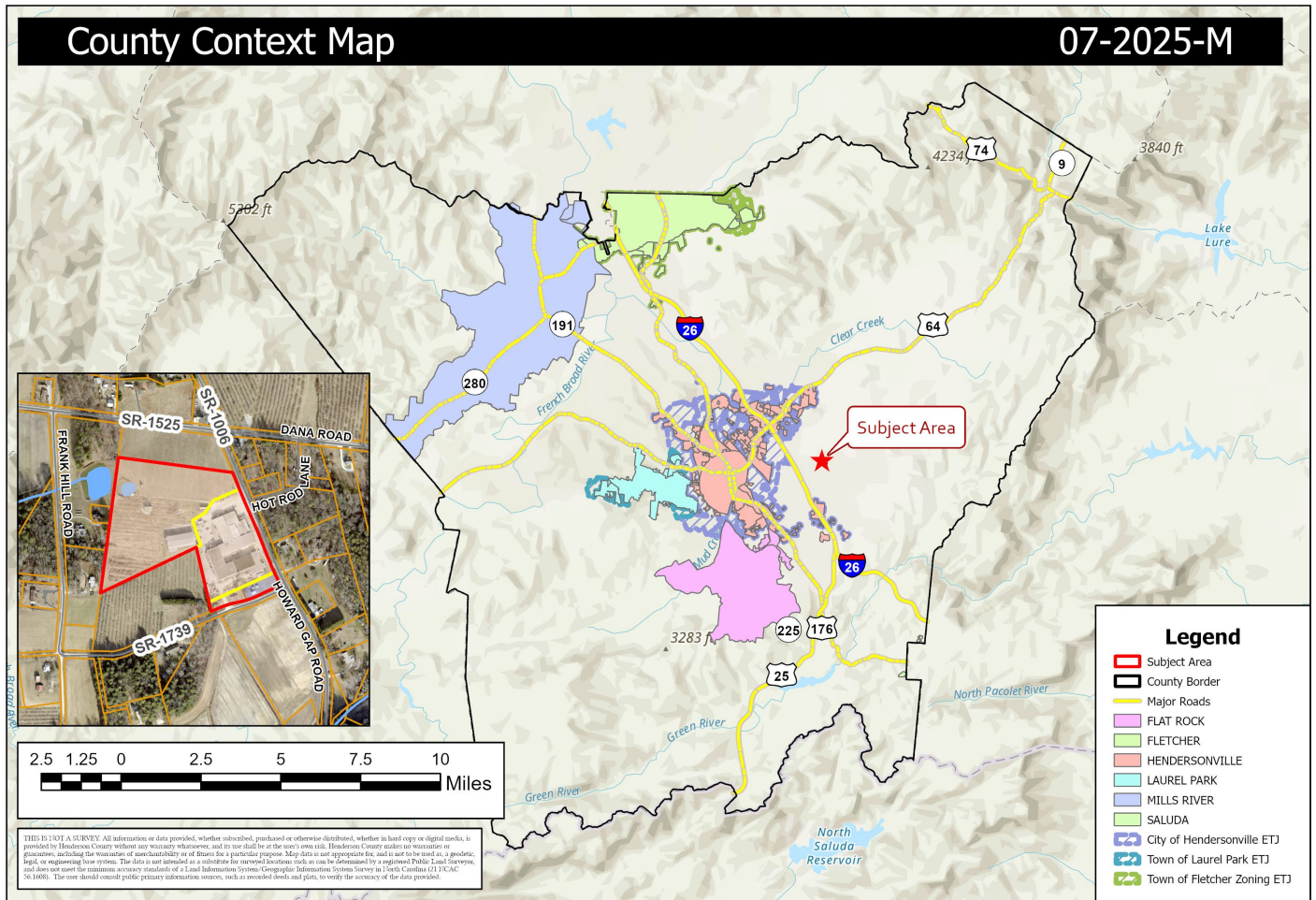
Residential

Residential

Agriculture, Residential

Agriculture, Residential

Map A: County Context



Property Owner(s): E A Henderson Land Company LLC; Cecil Land, LLC

Total Acreage: 16.23

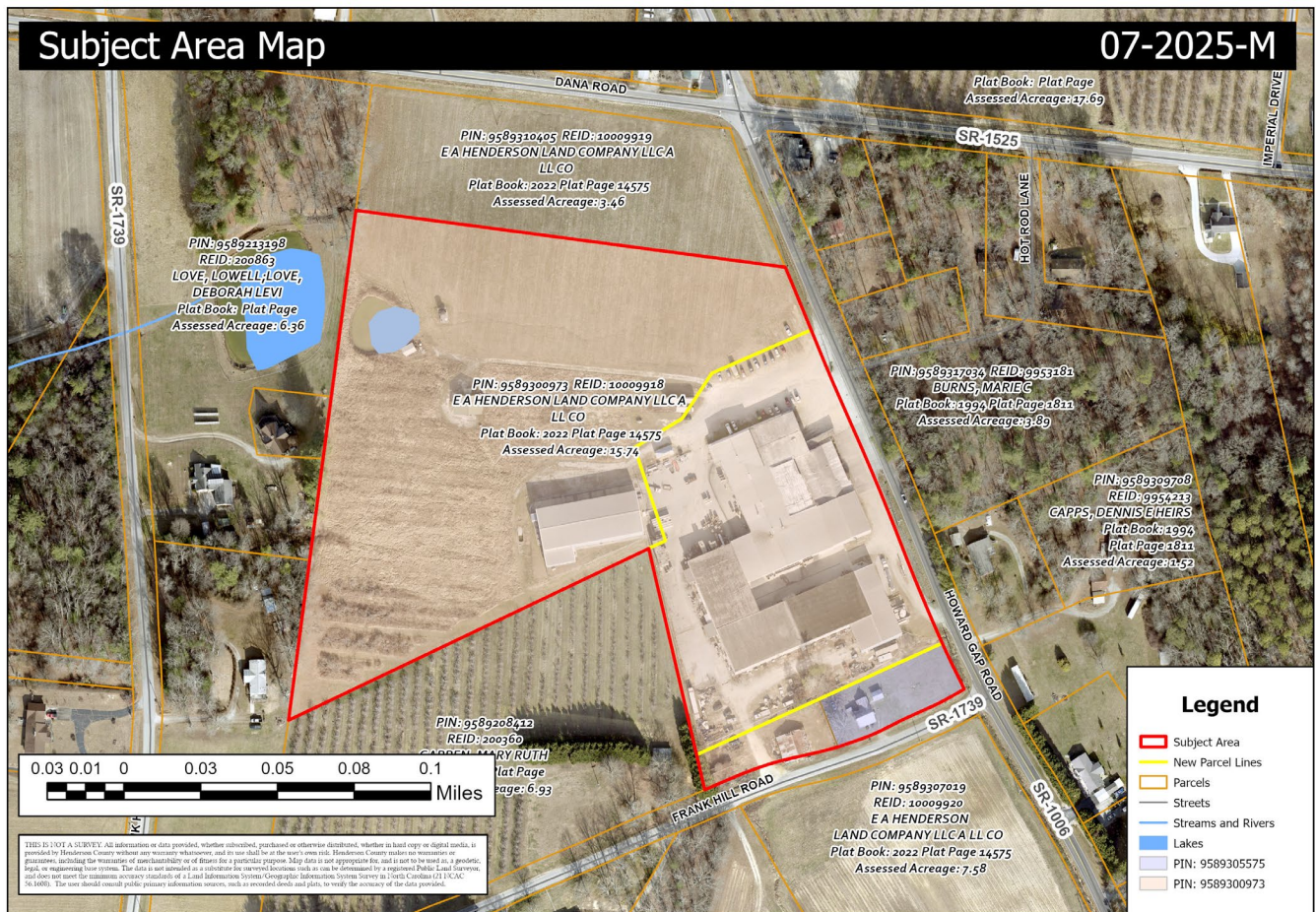
Local Commercial (LC) Zoning District



BACKGROUND:

The subdivision request for application #07-2025-M is for PIN# 9589-30-0973 owned by E A Henderson Land Company LLC and PIN# 9589-30-5575 owned by Cecil Land, LLC. The subject area is located on Howard Gap Rd (SR 1006). The applicant has requested that the two tracts be recombined and subdivided into three lots. The property is in the present use value program and is in an agricultural district. The property's current use is considered commercial.

Map B: Subject Area



Property Owner(s): E A Henderson Land Company LLC; Cecil Land, LLC
 Total Acreage: 16.23
 Local Commercial (LC) Zoning District



SUBJECT AREA & ADJACENT PROPERTIES:

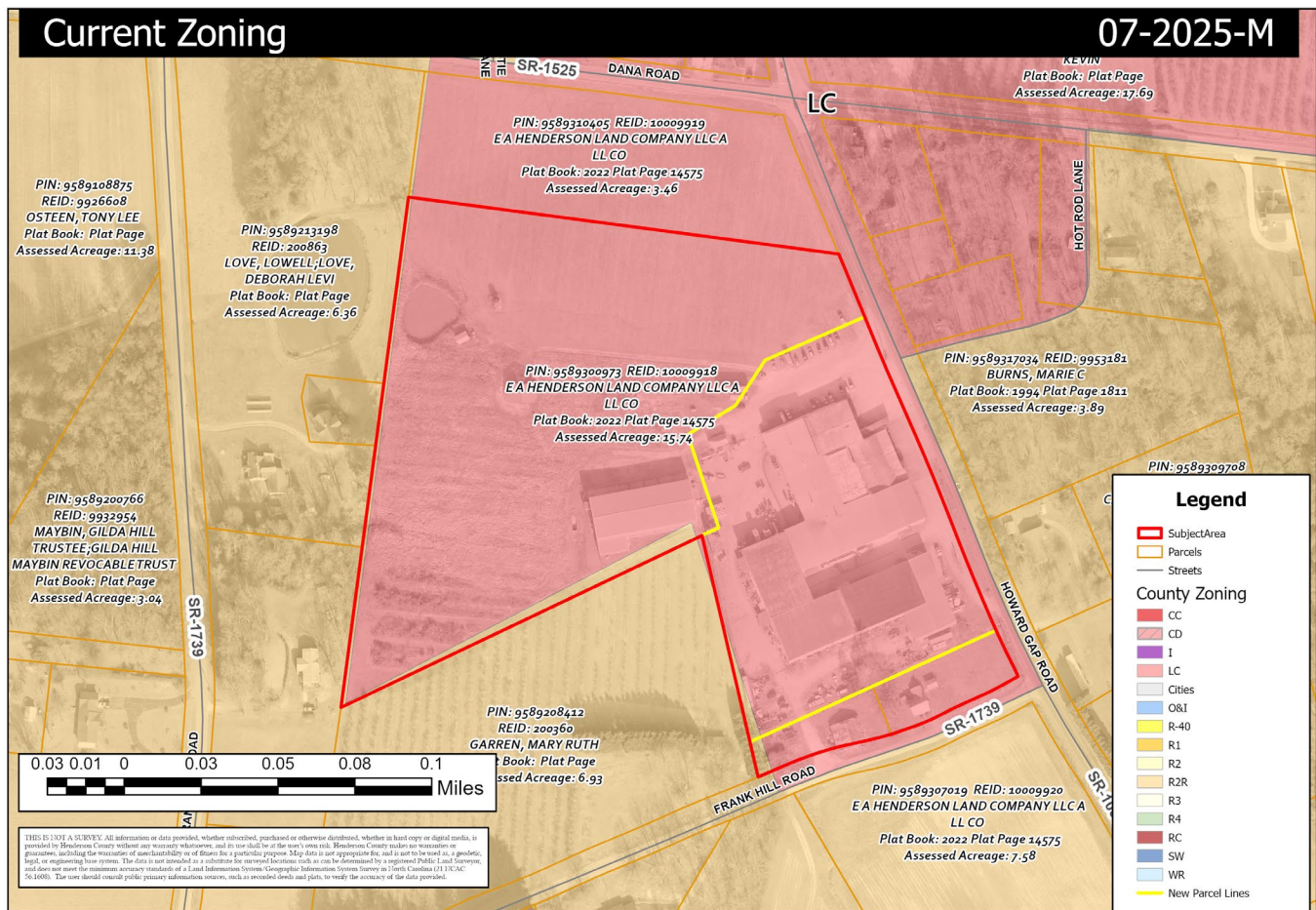
West: Mix of agricultural and residential uses.

South: The property is bordered by Frank Hill Road to the south with agricultural uses on the other side.

East: The property is bordered by Howard Gap Road to the east.

North: E A Henderson Land Company LLC owns the adjacent land to the north. The land further north, across Dana Rd, is broadly agricultural.

Map C: Current Zoning

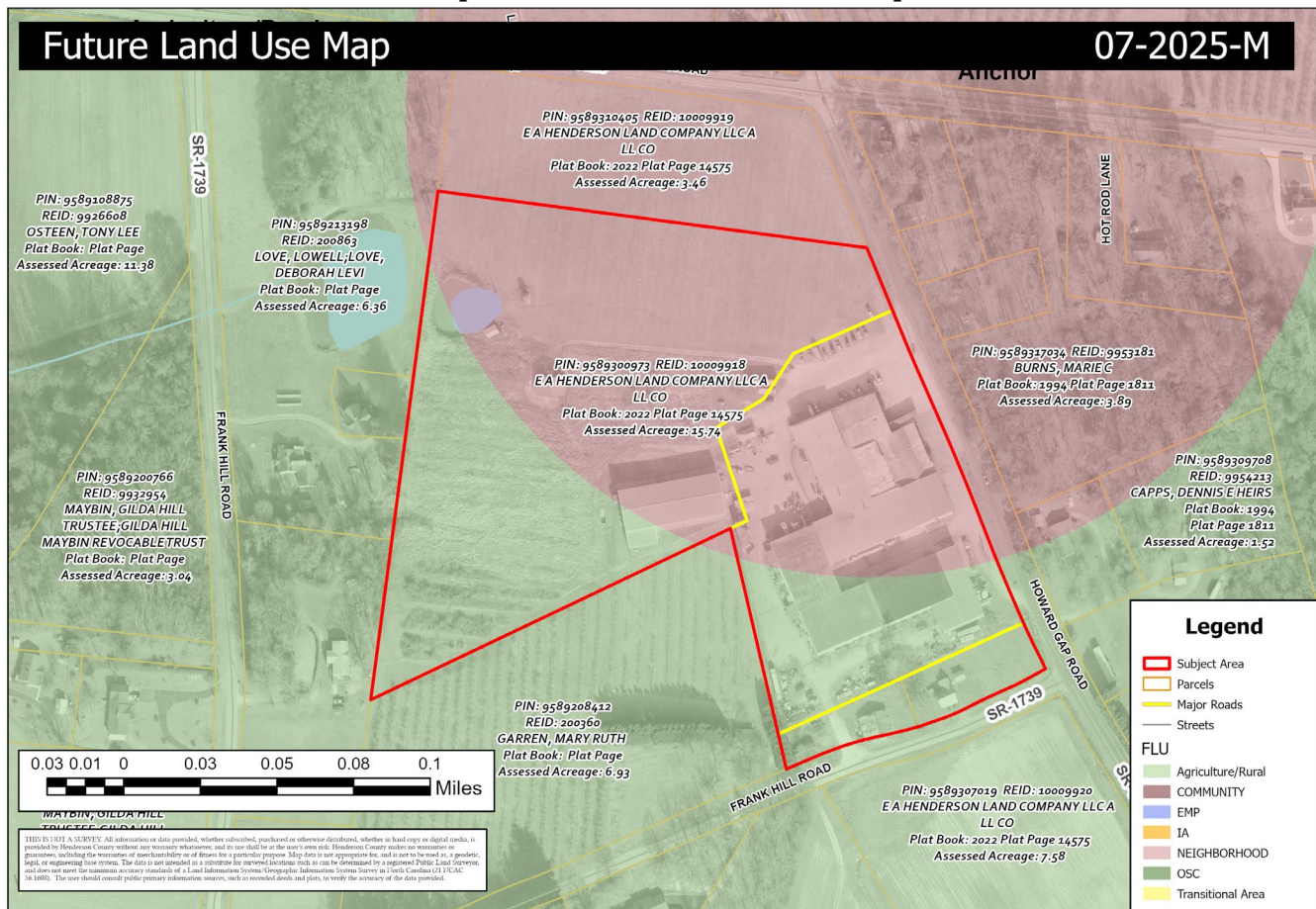


Property Owner(s): E A Henderson Land Company LLC; Cecil Land, LLC
 Total Acreage: 16.23
 Local Commercial (LC) Zoning District

**Zoning**

The subject area is in the Local Commercial (LC) zoning district. According to the Land Development Code, the purpose of the Local Commercial District (LC) is to foster orderly growth where the *principal use* of land is commercial and residential. The intent of this district is to allow for commercial development uses and residential development that: (1) includes a variety of retail sales and services, public and private administrations, offices and all other uses done primarily for sale or profit on a local or neighborhood scale; (2) is compatible with adjacent development and the surrounding community; and (3) will minimize congestion and sprawl.

Map D: 2045 Future Land Use Map



Property Owner(s): E A Henderson Land Company LLC; Cecil Land, LLC

Total Acreage: 16.23

Local Commercial (LC) Zoning District



2045 Comprehensive Plan Compatibility

The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in the **Agriculture/Rural** character area and the **Neighborhood Anchor**.

Agriculture/Rural: "Agriculture/Rural areas are important for their ability to support diverse agricultural activities. Development in these areas should be uses that do not interfere with agricultural production or drastically change the rural landscape." (Part 2, pg. 43)

- **Where:** In and around concentrations of working agricultural lands.
- **Uses:** Forestry, very low-density single-family residential, outdoor recreation/tourism, agriculture of all types, and some rural business
- **Future Character Area:** The current zoning Local Commercial (LC) for the subject area is consistent with the current character area Agriculture/Rural.
- **Utility Access:** Varies

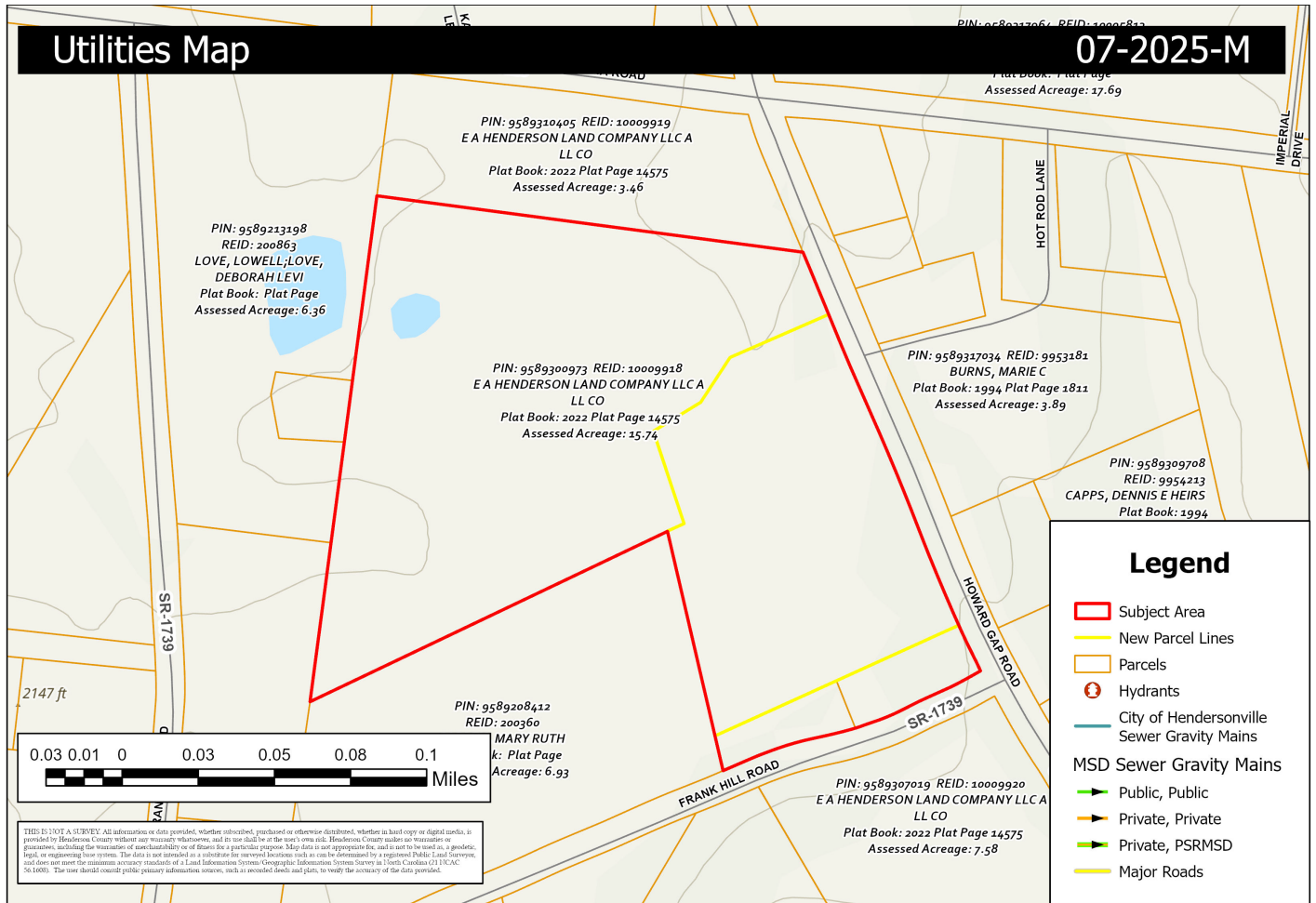
Neighborhood Anchor: “Neighborhood Anchors are small concentrations of commercial, residential, and civic uses in more rural areas centered around structural anchors like schools, churches, and/or crossroads. These areas typically follow a development pattern where commercial uses are clustered directly adjacent to a crossroads, surrounded by residential development and agricultural uses.” (Part 2, pg. 45)

- **Where:** Typically found at intersections of State Roads or thoroughfares
- **Uses:** Small services and retail, churches, fuel stations, light industry, mix of residential types, including small-scale multi-family
- **Future Character Area:** The current zoning Local Commercial (LC) for the subject area is consistent with the current character area Neighborhood Anchor.
- **Utility Access:** Utilities are typically not necessary due to the small-scale of development, but may be necessary for some development types

Goal 1: Coordinate Development Near Existing Community Anchors

- Local Commercial (LC) zoning helps accomplish Goal 1 of the 2045 Comprehensive Plan. The principal use of land in Local Commercial (RC) is commercial. The intent of this district is to allow for commercial development that includes a variety of retail sales and services, public and private administrations, offices, and all other uses done primarily for sale or profit on the local, community, and regional level.

Map F: Utility Map



Property Owner(s): E A Henderson Land Company LLC; Cecil Land, LLC
 Total Acreage: 16.23
 Local Commercial (LC) Zoning District



ANALYSIS:

According to Chapter 42, Henderson County Land Development Code (LDC) §42-340, 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 2045 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 §42-74).

Staff has reviewed the submitted Master Plan for the E A Henderson Land Company Subdivision, taking into consideration the recommendations of the *Henderson County 2045 Comprehensive Plan* and reviewing the plan for conformance with Henderson County Land Development Code. Staff offers the following comments:

Staff Comments:

1. **Water and Sewer Availability:** The site does not have access to city of Hendersonville water or sewer.
2. **Open Space Requirements:** 3 lots are proposed; there are no requirements for open space.
3. **Road System:** The subject area currently has access from Howard Gap Road (SR 1006).
4. **Dead Ends, Culs-de-sac, Turnarounds:** All turnarounds must meet the requirements of the LDC §42-110(D).
5. **Perennial and Intermittent Surface Water Buffers:** The project site is outside of the perennial stream buffer. Section §42-250 of the LDC regulates construction and permitting within the surface water buffer, requiring all built-upon areas 30 feet landward of all perennial and intermittent surface waters.
6. **Soil Erosion and Sedimentation Control Plan:** The Applicant shall submit written notice from 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 §42-113B).

7. **Stormwater/Water Quality:** The Applicant shall submit a written notice from the appropriate local agencies verifying that a Stormwater Control Plan is not required.
8. **Drainage, Culverts, 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 §42-105). 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 §42-102).
9. **Miscellaneous Advisory Provisions:** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 42 (LDC §42-87).
10. **Final Plat Requirements:** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §42-342).
11. **NCDOT Driveway Permit.** An NCDOT Driveway permit will be required for any new driveway cut onto Howard Gap Rd.
12. **Site Plan Approval.** Any Site Plan received in the subject area will be required to seek Major Site Plan approval due to the Local Commercial District.

STAFF CONCLUSION

Per Chapter 42 of the Henderson County Land Development Code LDC §42-337, the Technical Review Committee is the final approval authority for this proposed Major Subdivision. The Technical Review Committee may approve, approve with conditions, or deny the proposed Master and/or Development plan if it exhibits deficiencies or is not in compliance with any statute, ordinance, or regulation of the Henderson County Code of Ordinances.

Grid North
MD 83 (2011)

PROJECT SUMMARY

OWNER & DEVELOPER:
E.A. Henderson Land Company, LLC
4680 Howard Gap Road
Hendersonville, NC 28792

TOTAL PROJECT AREA:
Total Acreage: 17.27 Acres
Original Lots: 2
Proposed Lots: 3
Minimum Lot: 61707 Sq. Ft.

CURRENT ZONING:
Local Commercial (LC)

PROPOSED USE:
Local Commercial (LC)

BUILDING AREAS:
TRACT A-Revised:
House: Approx. 1186 Sq. Ft.
Barn: Approx. 1089 Sq. Ft.
Building: Approx. 227 Sq. Ft.
TRACT B1:
Existing Industrial Building:
Approx. 86100 Sq. Ft.
Total of Sheds: Approx. 472 Sq. Ft.
TRACT B2:
Existing Industrial Building:
Approx. 13794 Sq. Ft.
Barn: 1444 Sq. Ft.
Total of Buildings: Approx. 435 Sq. Ft.

IMPERVIOUS SURFACE AREA:
TRACT A-Revised: Approx. 3771 Sq. Ft.
TRACT B1: Approx. 151223 Sq. Ft.
TRACT B2: Approx. 21650 Sq. Ft.

TOTAL AREA OF DISTURBANCE:

PARKING (Required: 1 Space per 500 Sq. Ft.):

PUBLIC ROAD FRONTAGE:
TRACT A-Revised:
Frank Hill Road: 507.32'
Howard Gap Road: 133.07'
TRACT B1:
Howard Gap Road: 590.55'
TRACT B2:
Howard Gap Road: 92.04'

WATER:
TRACT A-Revised: Private Septic System
TRACT B1: Private Septic System
TRACT B2: Private Septic System

SEWER:
TRACT A-Revised: Community Well
TRACT B1: Community Well
TRACT B2: Community Well

BLUE RIDGE FIRE DISTRICT

L1 is an Old Line (To Be Abandoned)
L3 is a Tie Line
L5-L10 are New Lines
L11 is the Centerline of the Proposed 30' Driveway Easement
(15' each side of Centerline)

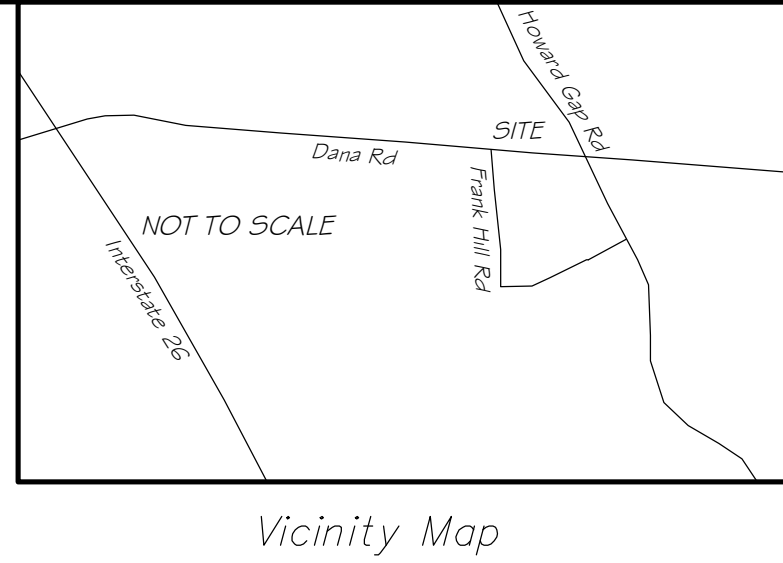
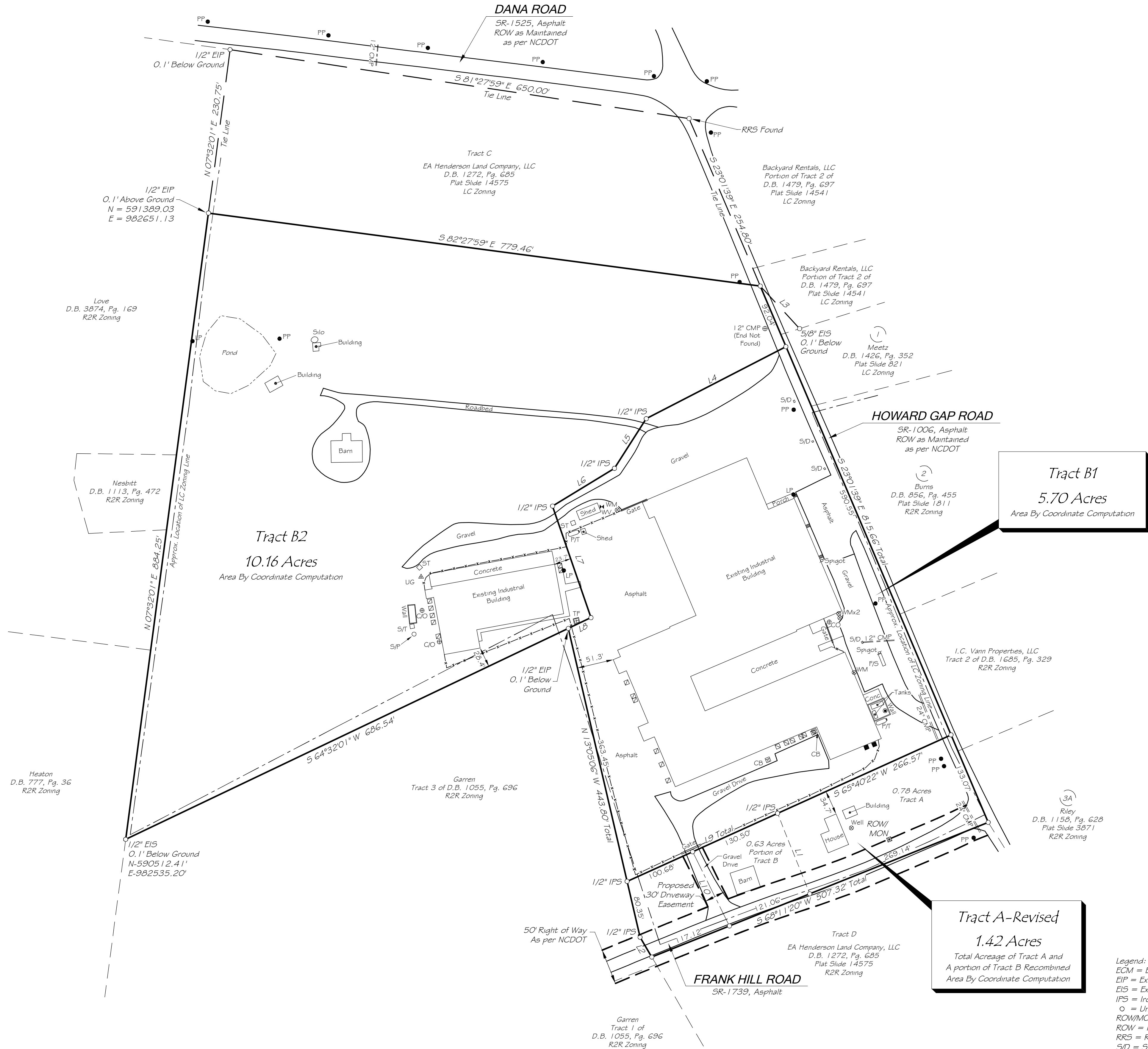
Course	Bearing	Distance
L1	S 21°48'40" E	121.34'
L2	N 30°41'11" W	32.16'
L3	S 42°41'33" E	81.13'
L4	S 62°42'35" W	220.21'
L5	S 32°39'07" W	82.51'
L6	S 58°38'44" W	101.51'
L7	S 19°00'37" E	165.17'
L8	S 64°32'01" W	35.14'
L9	S 65°40'22" W	231.18'
L10	S 26°24'59" E	115.98'

Building Setbacks as per LC Henderson County Zoning:
Front: 20' (Thoroughfare Roads)
10' (Local & Collectors Roads)
Side: 10'
Rear: 10'

Perennial Stream Buffer: 30'

- Notes:
- Property is subject to all easements, restrictions and right of ways of record.
 - The locations of underground utilities are based on above-ground structures and record drawings provided to the surveyor. Locations of underground utilities/structures may vary from locations shown hereon. Additional buried utilities/structures may be encountered.
 - Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate title search may disclose.
 - The certification of survey and plat was prepared for the entity named in the title block hereon and does not extend to any other entity, unless recertified by the professional land surveyor.
 - All miscellaneous survey related materials, including but not limited to, project plans, deed and ROW research, maps, field notes and data, survey reports, record title report, calculations, working drawings, estimates, and other materials acquired and/or prepared by the surveyor as instruments of service shall remain the property of the surveyor and assigns.
 - This drawing is not valid unless the original signature and stamp are attached. Any reproduction or variance to this survey by electronic or any other means are not to be considered issued by the professional surveyor.
 - Property is currently zoned LC & R2R Henderson County Zoning as per Henderson County GIS.
 - Property is a designated Farmland Preservation District in the Blue Ridge District.
 - Property is located in Zone X (Minimal Flood Risk) as per FRI5 Map Panels 9589, Map # 37009589000 effective date 10-2-2008.

80 0 80 160 240
GRAPHIC SCALE - FEET



Preliminary
For Review Purposes Only

Tracts A & Tract B as shown on the
Minor Subdivision recorded at Plat Slide 14575

Combined Master and Development Plan for

EA Henderson Land Company LLC

-Owners-
Cecil Land, LLC
Tract 4 of D.B. 4054, Pg. 035
EA Henderson Land Company, LLC
D.B. 1272, Pg. 685

Pin: 9589-30-5575
Pin: 9589-30-0973

Blue Ridge Township	Henderson County, NC
ASSOCIATED LAND SURVEYORS & PLANNERS PC P.O. BOX 578 * HORSE SHOE, NC 28742 (828) 890-3507 NC BUSINESS LICENSE NO. C-2774 SCALE: 1 Inch = 80 Feet DATE: May 2, 2025 JOB NO.: S-25-105 DRAWN BY: LDJ/KMK MINIMUM 8.0	

Legend:
ECM = Existing Concrete Monument
EIP = Existing Iron Pipe
EIS = Existing Iron Stake
IPS = Iron Pipe Set
O = Unmarked Point, Unless Otherwise Noted
ROW/MON = Right of Way Monument
ROW = Right of Way
RRS = Railroad Spike
SD = Storm Drain
CO = Clean Out
CB = Catch Basin
PF = Power Pole
TF = Transformer
WM = Water Meter
WV = Water Valve
CMP = Corrugated Metal Pipe
SD = Storm Drain
S/T = Septic Tank
S/P = Septic Pump
● = Diesel Tank
■ = Oil Tank
□ = HVAC
--- = Fence