

Buncombe County Planning Board
April 21, 2014

The Buncombe County Planning Board met April 21, 2014 in the meeting room at 30 Valley Street. Members present were Tom Alexander, Josh Holmes, Bernie Kessel, Catherine Martin, Jim Young and Michelle Wood. Also present were Michael Frue, Staff Attorney; Josh O'Conner, Zoning Administrator; and Gillian Phillips and Debbie Truempy, Planning staff.

Call to Order

Chairman Alexander called the meeting to order at 9:34 am.

Approval of Agenda

Mr. Kessel made a motion to approve the revised agenda as submitted. Mr. Holmes seconded the motion and the motion passed unanimously.

Approval of Minutes (April 7, 2014)

Mr. Holmes made a motion to approve the minutes as submitted. Ms. Martin seconded the motion and the motion passed unanimously.

Public Hearing (Zoning Map Amendments)

ZPH2014-00023: *LifeWay Christian Resources of the Southern Baptist Convention applied to rezone the following tax lot PINs, which are currently zoned Public Service (PS) to Conference Center/Resort District (CR):*

0629-37-7019 (Northeast of the intersection of Old US 70 Hwy E and Dunsmore Ave); 0629-37-9480 (South of 110 Memorial Park Dr); 0629-44-6864 (West of 60 Tucker Rd); 0629-45-6300 (South of 21 Beech St); 0629-48-1036 (North of 110 Memorial Park Dr); 0629-48-2689 (located at the end of Memorial Park Dr); 0629-48-9908 (North of 20 Starlight Dr); 0629-49-5256 (at the end of Locust St); 0629-49-5790 (West of 100 Balsam Rd); 0629-53-8469 (at the end of Tucker Rd); 0629-54-0252 (West of 75 and 98 Tucker Rd); 0629-54-0539 (West of 75 Tucker Rd); 0629-54-2090 (South of 98 Tucker Rd); 0629-54-5394 (East of 75 and 98 Tucker Rd); 0629-55-6733 (North of 16 Magnolia Rd); 0629-55-9964 (260 Yates Ave); 0629-58-0640 (North of 11 Starlight Dr); 0629-58-1609 (East of 20 Starlight Dr); 0629-58-1757 (East of 20 Starlight Dr); 0629-58-4562 (Northwest of 239 Buckner Rd); 0629-58-4836 (16 Balsam Rd); 0629-58-5733 (14 Balsam Rd); 0629-58-7824 (West of 23 Balsam Rd); 0629-59-3384 (68 Balsam Rd); 0629-59-4814 (105 Balsam Rd); 0629-59-8329 (North of 33 Balsam Rd); 0629-59-9299 (North of 148 Reservoir Rd); 0629-59-9493 (South of 166 Reservoir Rd); 0629-64-1109 (South of the end of Dogwood Ct); 0629-64-3922 (32 Sycamore Dr); 0629-64-7436 (South of 32 Sycamore Dr); 0629-64-9519 (32 Sycamore Dr); 0629-65-1582 (290 Yates Ave); 0629-65-6802 (290 Yates Ave); 0629-65-8117 (46 Sycamore Dr); 0629-66-0312 (295 Yates Ave); 0629-66-1396 (271 Yates Ave); 0629-66-8673 (Northeast of the intersection of Yates Ave and Tripoli Trl); 0629-67-0386 (North of 12 Tupper Rd); 0629-67-1519 (East of 67, 75, and 77 Tupper Rd); 0629-67-1708 (East of 77 Tupper Rd); 0629-67-3803 (South of 98 Georgia Ave); 0629-67-4213 (between Ridgecrest Dr and Old US 70 Hwy E, East of Tupper Rd); 0629-67-8678 (1 Ridgecrest Dr); 0629-68-0870 (110 Reservoir Rd); 0629-68-8217 (63 Georgia Ave); 0629-69-0713 (North of 166 Reservoir Rd); 0629-74-5612 (South of 298 Yates Ave); 0629-74-6235 (South of 298 Yates Ave); 0629-74-7699 (Southeast of 298 Yates Ave); 0629-75-1198 (298 Yates Ave); 0629-75-2553 (296 Yates Ave); 0629-75-5677 (East of 296 Yates Ave); 0629-75-6188 (Southeast of 296 Yates Ave); 0629-76-1861 (391 Yate Ave); 0629-

76-5586 (19 Kitazuma Rd); 0629-76-6303 (South of 390 Yates Ave and 19 Kitazuma Rd); 0629-76-7101 (West of 35 Kitazuma Rd); 0629-77-1352 (East of 1 Ridgecrest Dr); 0629-77-2330 (East of 1 Ridgecrest Dr); 0629-77-3661 (East of 1 Ridgecrest Dr); 0629-77-6464 (2 McDowell St); 0629-77-6780 (14 Warehouse Rd); 0629-77-6948 (16 Georgia Ave); 0629-78-1361 (33 Georgia Ave); 0629-78-3242 (25 Georgia Ave); 0629-78-3293 (East of 25 Georgia Ave); 0629-78-3327 (East of 33 Georgia Ave); 0629-78-3371 (North of 25 Georgia Ave); 0629-78-6160 (10 Georgia Ave); 0629-78-6300 (15 Georgia Ave); 0629-78-8297 (34 Mount Mitchell Rd); 0629-84-3953 (South of Kitazuma Rd); 0629-84-5076 (South of Kitazuma Rd); 0629-84-8619 (South of Kitazuma Rd); 0629-85-6014 (South of Kitazuma Rd); 0629-85-6841 (49 Kitazuma Rd); 0629-85-9163 (South of Kitazuma Rd); 0629-86-5155 (East of 40 Kitazuma Rd); 0629-94-2828 (South of Kitazuma Rd); 0720-40-9468 (North of 105 Balsam Rd); 0720-41-6812 (6 T Mount Mitchell Rd); 0720-50-2176 (North of 105 Balsam Rd); 0720-50-9295 (Northeast of 105 Balsam Rd); and 0720-62-7096 (North of Mount Mitchell Rd).

LifeWay Christian Resources of the Southern Baptist Convention applied to rezone the following tax lot PINs, which are currently zoned Single Family Residential District R-1 to Conference Center/Resort District (CR):

0629-55-1689 (South of 40 Far View Rd); 0629-55-6171 (at the intersection of Hickory Rd and Durham Ave); 0629-68-0488 (South of 121 Reservoir Rd); 0629-68-2492 (located East of 103 Reservoir Rd on both sides of Ridgecrest Dr).

The Board was provided with the staff recommendation (Attachment A) and zoning maps (Attachment B) prior to the meeting. Ms. Truempy introduced the case to the Board. There was no applicant present to represent the case. Chairman Alexander asked if there was any public comment. Joyce Hughes was present to make public comment. Ms. Hughes raised concerns regarding the lot proposed for rezoning at Hickory Road and Durham Avenue (0629-68-0488) as it was on a residential street. Chairman Alexander closed the public hearing. There was discussion regarding the lot and the other lots the applicant had requested to be rezoned from R-1 to CR. The Board discussed with staff whether rezoning these residential lots constituted a spot zoning, and how spot zonings were challenged.

Mr. Kessel made a motion to recommend approval of the lots that were being rezoned from PS to CR with the consistency statement provided in Attachment A. Mr. Holmes seconded the motion and the motion passed unanimously.

There was further discussion regarding the lots requested that were currently zoned R-1 and spot zoning.

Chairman Alexander made a motion to recommend approval of 0629-68-0488 (South of 121 Reservoir Rd) and 0629-68-2492 (located East of 103 Reservoir Rd on both sides of Ridgecrest Dr) with the consistency statement provided in Attachment A. Ms. Wood seconded the motion and the motion passed unanimously.

Ms. Wood made a motion to recommend denial of 0629-55-1689 (South of 40 Far View Rd) and 0629-55-6171 (at the intersection of Hickory Rd and Durham Ave) as it was not consistent with the Buncombe County Land Use Plan. Mr. Kessel seconded the motion and the motion passed unanimously.

Public Comment

Dede Stiles made comments regarding the concept of spot zonings.

Adjournment

There being no further public comment, Mr. Holmes made a motion to adjourn the meeting. Ms. Wood seconded the motion and the motion passed unanimously. The meeting was adjourned at 10:04 am.

BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS

CASE NUMBER : ZPH2014-00023
PROPOSED ZONING CHANGE : R-1 and PS to CR
LOCATION : Ridgecrest Conference Center
PIN : See attached
ACREAGE : 981.65 acres

APPLICANT: Lifeway Christian Resources of the Southern Baptist Convention
1 LifeWay Plaza
Nashville, TN 37234

DEPARTMENT RECOMMENDATION: **APPROVAL**

BOARD CONSIDERATIONS: The Board must determine if there is a reasonable basis for the requested change. An applicant's showing of reasonableness must address the totality of the circumstances and must demonstrate that the change is reasonable in light of its effect on all involved. Good Neighbors of South Davidson v. Town of Denton, 355 N.C. 254, 559 S.E.2d 768 (2002). Determination must be, the “product of a complex of factors.” Chrismon v. Guilford County, 322 N.C. 611, 370 S.E.2d 579 (1988). Among the factors relevant to this analysis are the size of the tract in question; the compatibility of the disputed zoning action with an existing comprehensive zoning plan; the benefits and detriments resulting from the zoning action for the owner of the newly zoned property, his neighbors, and the surrounding community; and the relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts. Id.

REZONING ANALYSIS: The applicant requests the rezoning of approximately 981.65 acres from R-1 (Single-Family Residential District) and PS (Public Service District) to CR (Conference Center/Resort District). The subject property which fronts on both sides of I-40 near the McDowell County Line. The site currently contains the Ridgecrest Conference Center and its related uses.

The proposed map amendment is consistent with the Buncombe County Land Use Plan as the Buncombe County Comprehensive Land Use Plan 2013 Update recommends that large conference centers and recreation facilities be zoned more appropriately through a Conference Center/Resort District. The Plan indicated that the facilities considered for this zoning should be 100 acres or more and managed through a common entity (Buncombe County Comprehensive Land Use Plan 2013 Update, Section 6 Issues and Recommendations). Therefore, the proposed map amendment would be reasonable and in the public interest.

The Conference Center/Resort District is appropriate for the subject property and supported by the Buncombe County Land Use Plan. Therefore the Buncombe County Department of Planning and Development recommends **APPROVAL** of the request.

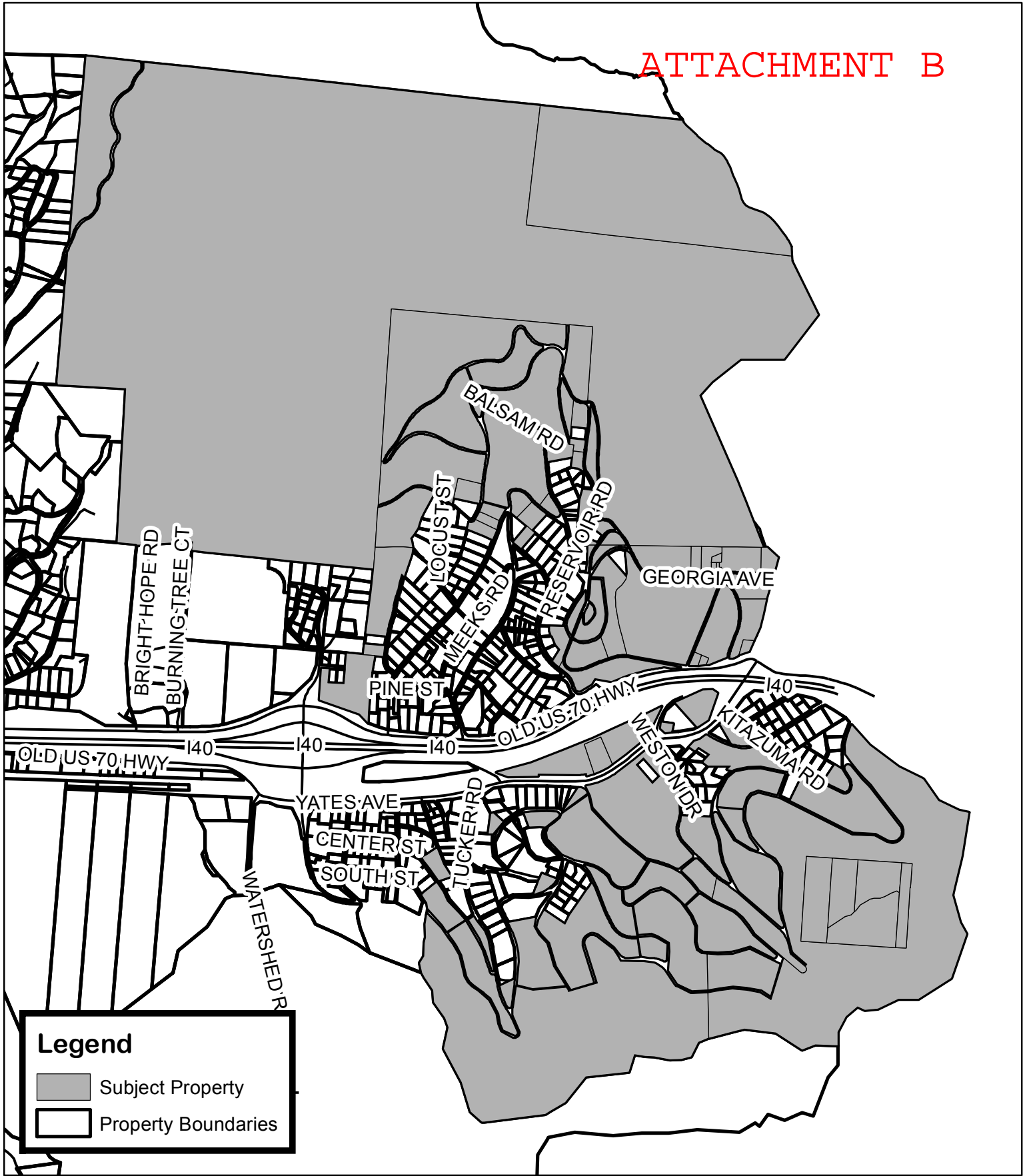
LAND USE PLAN CONSISTENCY STATEMENTS

CONSISTENT: The proposed map amendment is consistent with the Buncombe County Land Use Plan as the Buncombe County Comprehensive Land Use Plan 2013 Update recommends that large conference centers and recreation facilities be zoned more appropriately through a Conference Center/Resort District. The Plan indicated that the facilities considered for this zoning should be 100 acres or more and managed through a common entity (Buncombe County Comprehensive Land Use Plan, 2013 Update, , Section 6 Issues and Recommendations). Therefore, the proposed map amendment would be suitable as indicated within the Update. The proposed map amendment is appropriate and is therefore reasonable and in the interest of the public.

NOT CONSISTENT: The map amendment is not consistent with the Buncombe County Comprehensive Land Use Plan as the Land Use Constraint maps within the Buncombe County Comprehensive Land Use Plan, 2013 Update show the following regarding the subject property:

- Has areas of moderate and high slope stability hazards
- Has areas of slope greater than 25%
- Is greater than 2500' in elevation

Therefore, the proposed map amendment would not be suitable for the Conference Center/Resort District as indicated on the suitability matrix within the Update. Development within these environmentally sensitive areas would be detrimental to the owner, adjacent neighbors, and surrounding community as it is not consistent with the surrounding area. Therefore, the requested zoning would not be reasonable and in the interest of the public.

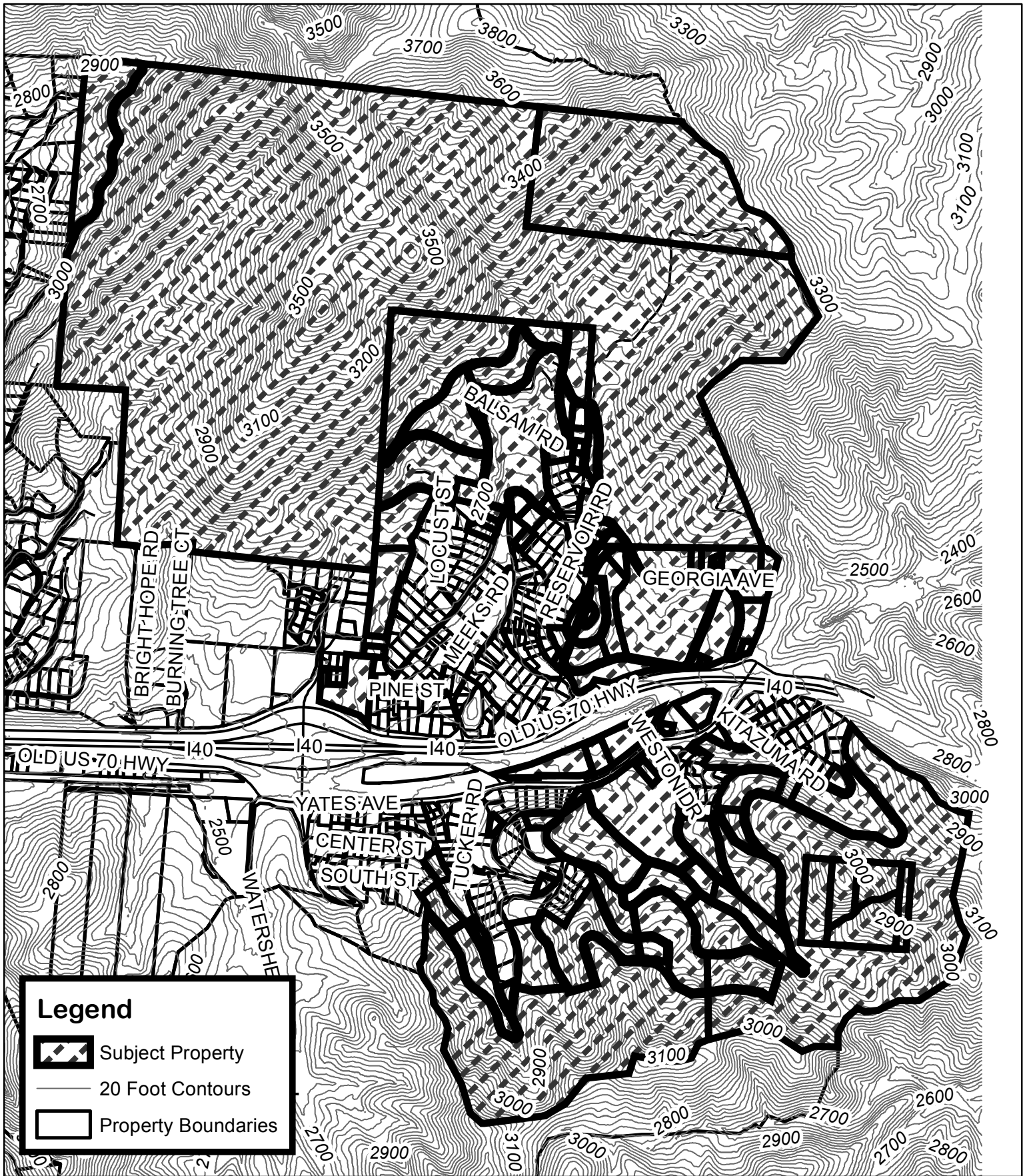


**Lifeway Christian Resources of the Southern Baptist Convention
Map Amendment**

Case Number: ZPH2014-00023
 Approximate Property Size: 981.65 acres
 Application Date: March 14, 2014
 Planning Board Hearing Date: April 21, 2014



Created By: Buncombe County Planning
 Date: March 31, 2014



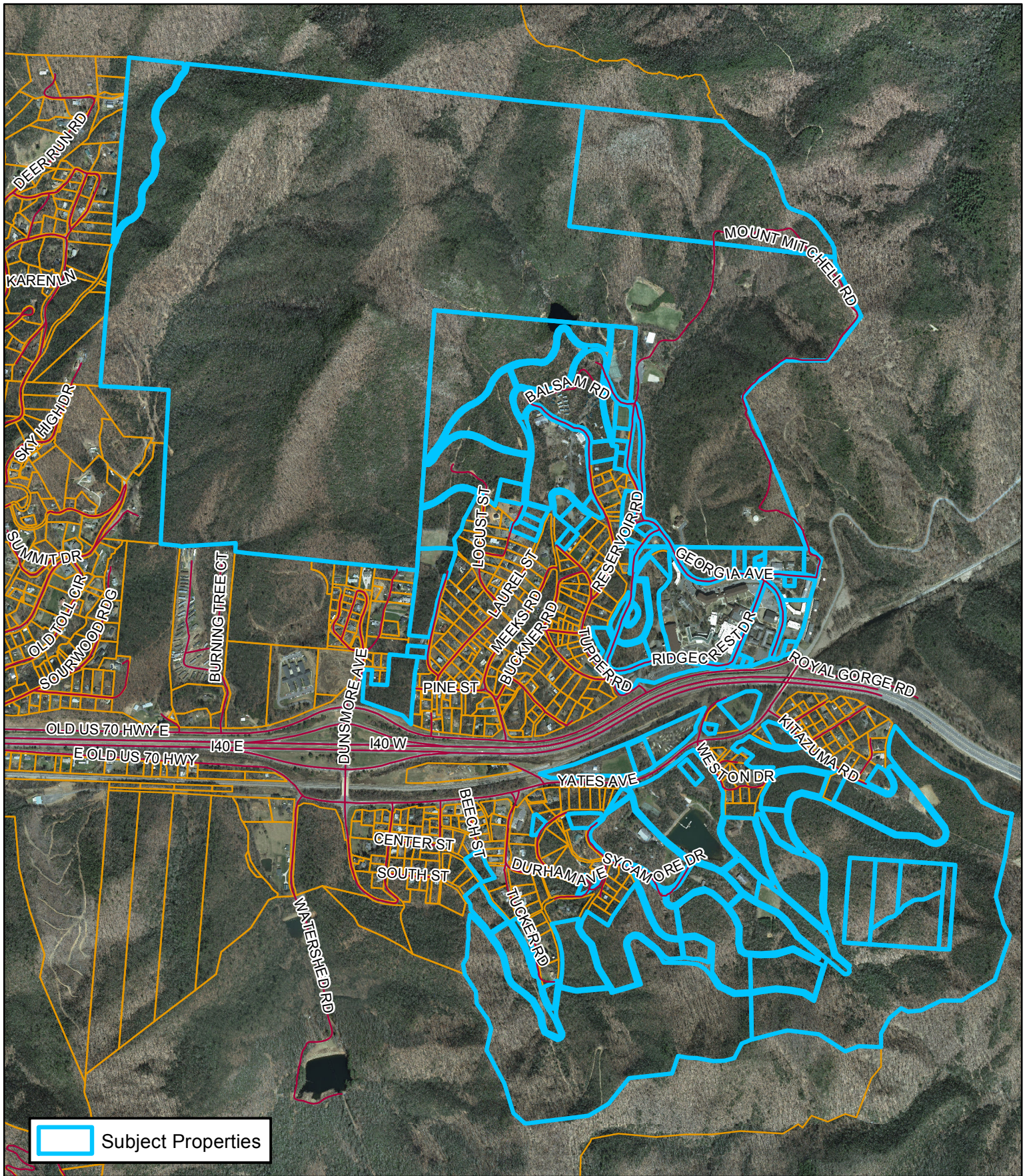
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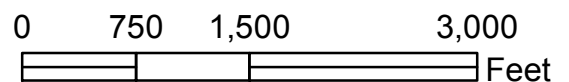
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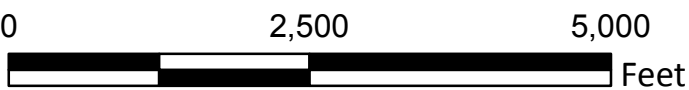
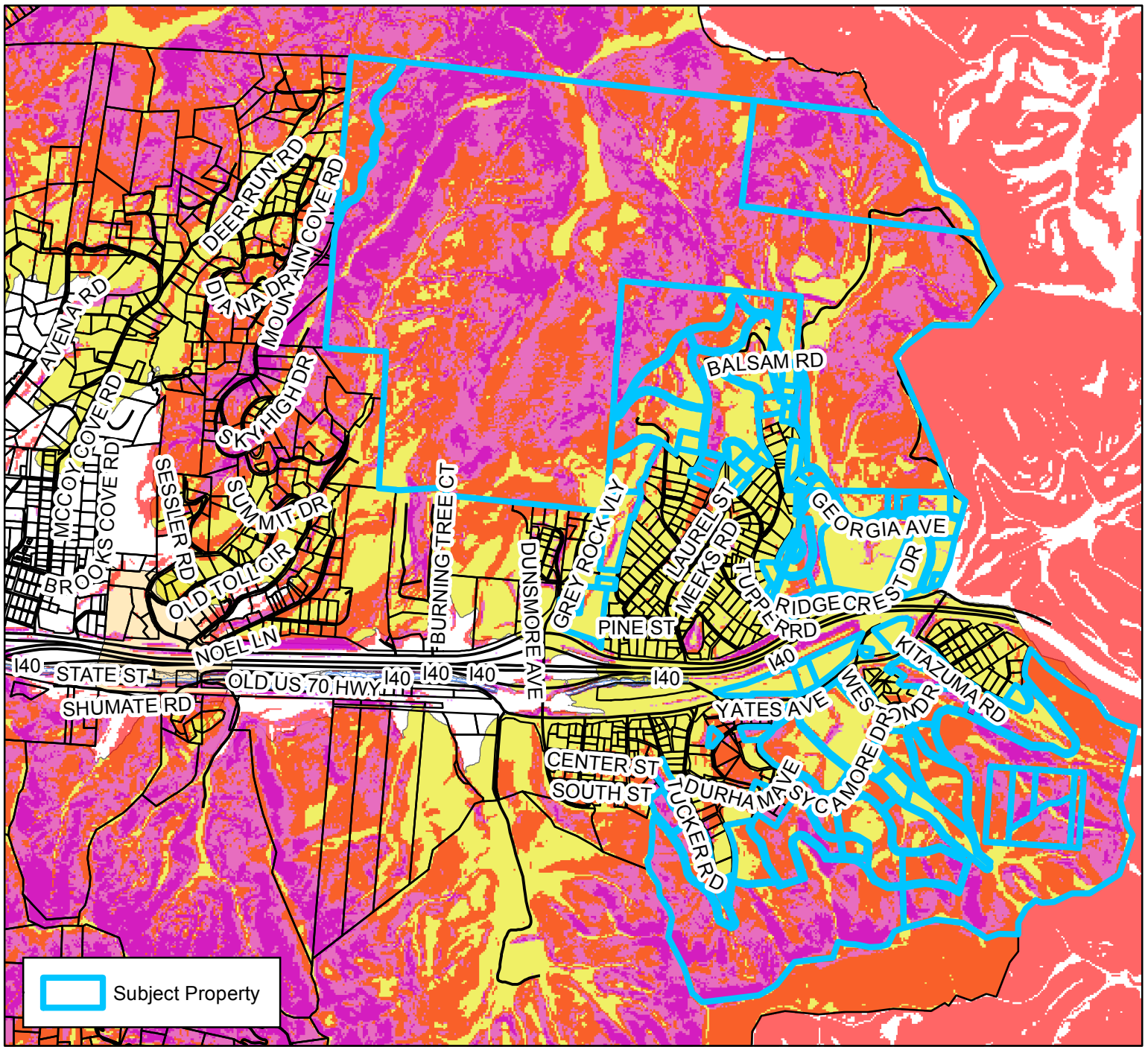
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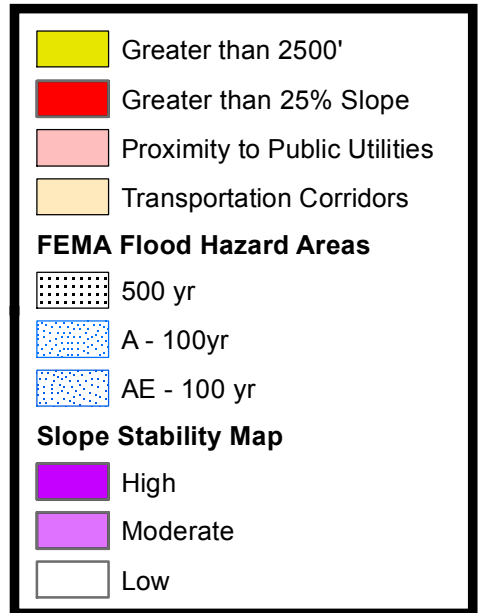


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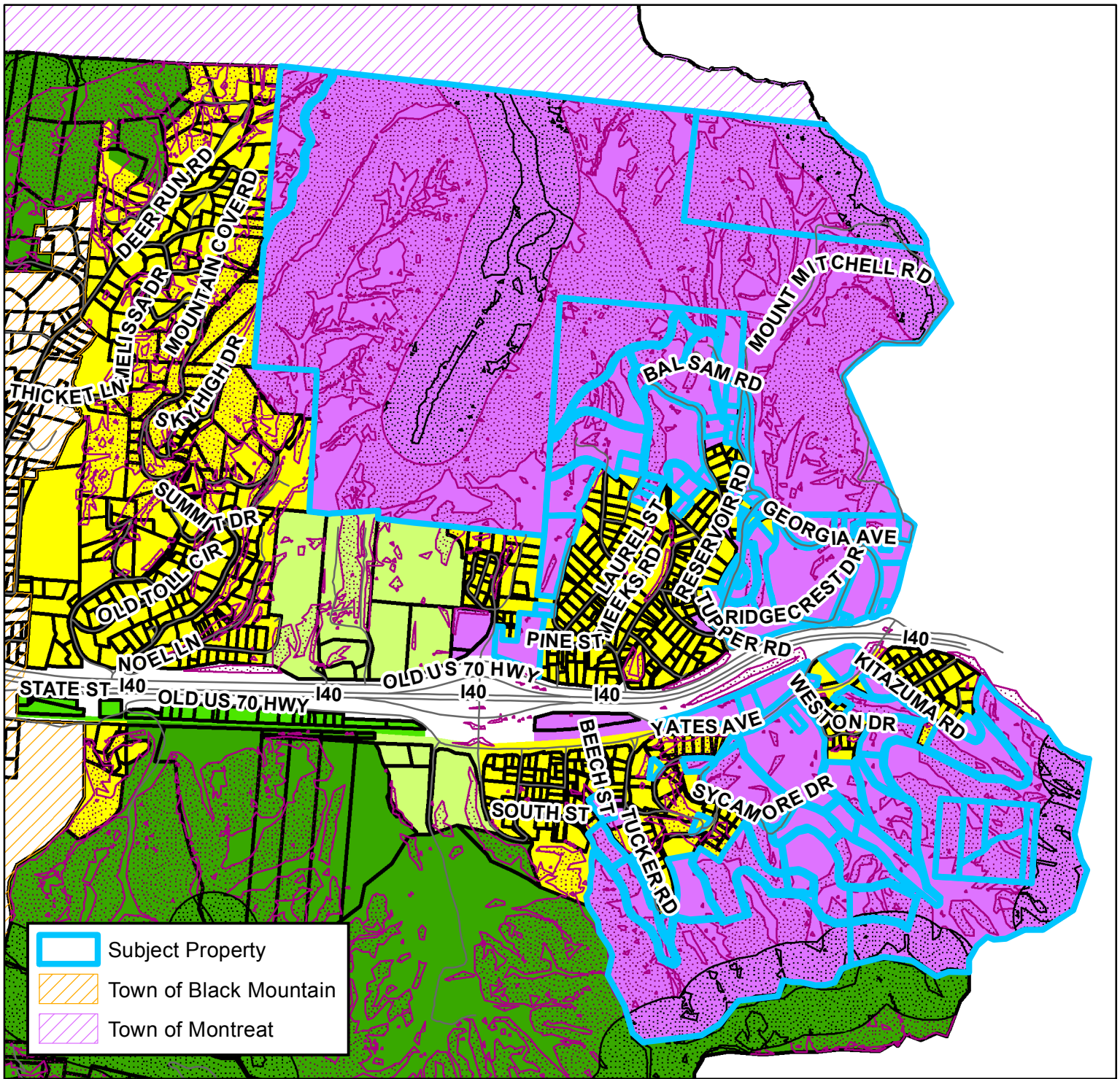


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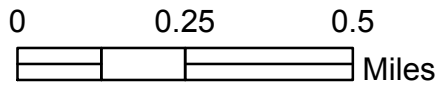
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Lifeway Christian Resources of the Southern Baptist Convention Map Amendment



Zoning Districts		Zoning Overlays	
	BDM		Blue Ridge Parkway Overlay
	CS		Protected Ridge Overlay
	EMP		Protected Ridge & Parkway
	NS		Steep Slope/High Elev.
	OU		Steep Slope/High Elev. & Pkwy
	PS		
	R-1		
	R-2		
	R-3		
	R-LD		

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