

Buncombe County Planning Board
May 4, 2014
9:30 a.m.
30 Valley Street
Asheville, NC

Buncombe County Planning Board met May 5, 2015 in the meeting room at 30 Valley Street. Members present were Nancy Waldrop, Thad Lewis, Dusty Pless, Joan Walker, Gene Bell, Parker Sloan, and Bob Taylor. Also present were Michael Frue, Staff Attorney; Debbie Truempy, Zoning Administrator; Jon Creighton, Assistant County Manager/Planning Director; and Gillian Phillips, Planning staff.

Michael Frue acted as Chairman (non-voting) for the meeting.

Call to Order

Mr. Frue called the meeting to order 9:34 am.

Approval of Agenda

Mr. Pless made a motion to approve the revised agenda. Ms. Waldrop seconded the motion and the motion passed unanimously.

Approval of Minutes (April 20, 2015)

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

SUB2015-00112: *Ivan Dariy was seeking preliminary approval of Emanuel Subdivision, which is located at the intersection of Brickyard Road and Emanuel Drive (PINs 9639-13-0266, 9639-02-9685, and 9639-12-3843).*

The Board was provided with the submitted site plan (Attachment A) and proposed staff conditions (Attachment B) prior to the hearing. Ms. Truempy reviewed the case for the Board. Bob Grasso was present to represent the case. Mr. Grasso explained the history of the subdivision, and why they needed the variance that had been granted by the previous Planning Board. There being no one wishing to make public comment Mr. Pless made a motion to grant preliminary approval with the staff conditions. Mr. Walker seconded the motion, and the motion passed unanimously.

ZPH2015-00021: *Discussion of possible revisions to the text of the Blue Ridge Parkway Zoning Overlay District*

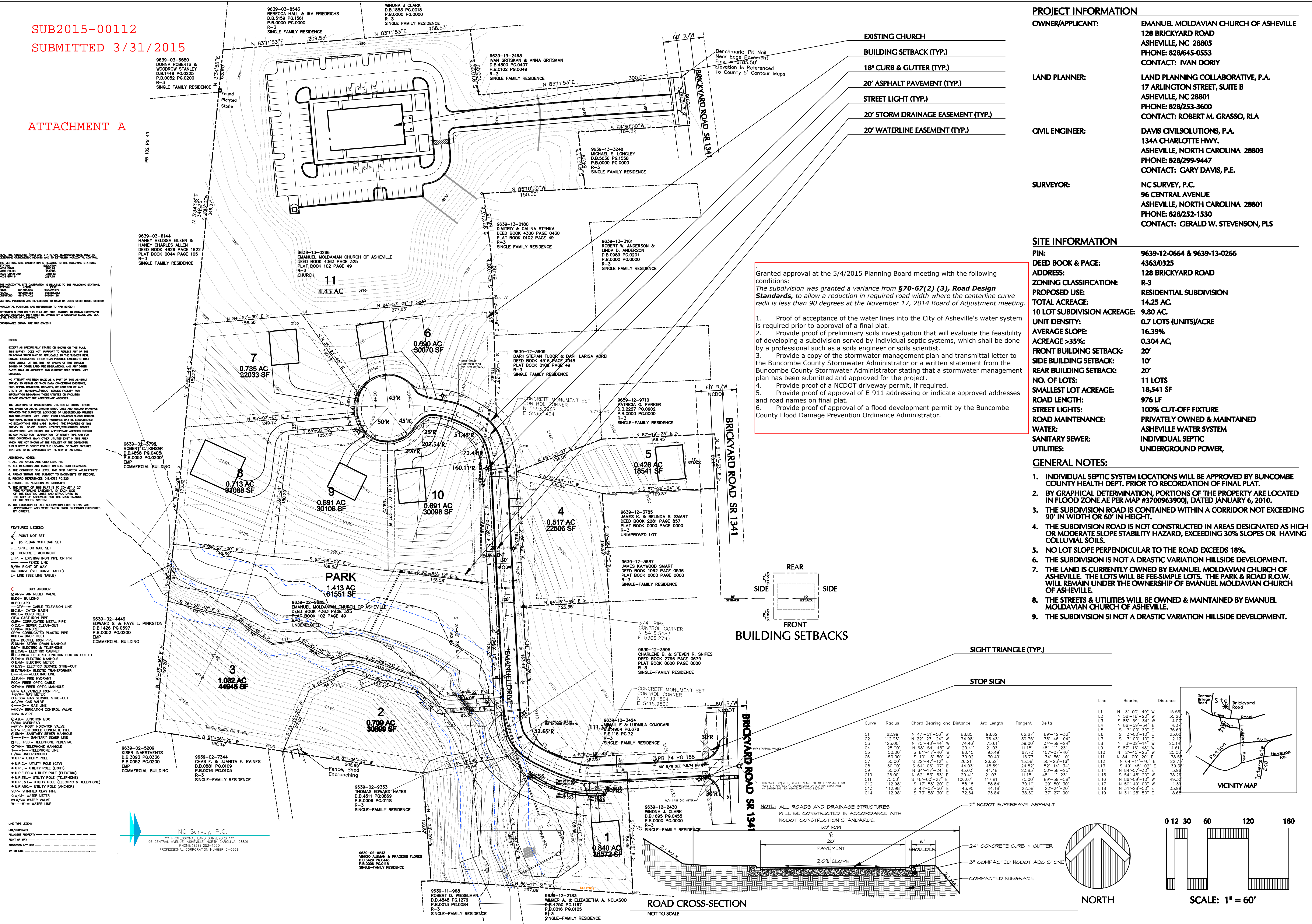
The Board was provided with draft language (Attachment C). Ms. Truempy reviewed the proposal, and indicated that it would likely change after the staff met with representatives from the Blue Ridge Parkway. Mr. Creighton described why the Commissioner's had requested Staff and the Planning Board review the parkway standards. The Board discussed the proposal with staff. Dede Stiles indicated that she would like to make public comment regarding the proposal. Ms. Stiles asked questions regarding how subdivisions would be regulated differently in the overlay district and indicated that she thought the Board might want to consider regulating appearance of the houses along with the other provisions in the draft language

Adjournment

Ms. Waldrop made a motion to adjourn the meeting. Ms. Walker seconded the motion and the meeting was adjourned at 10:04 am.

SUB2015-00112
SUBMITTED 3/31/2015

ATTACHMENT A



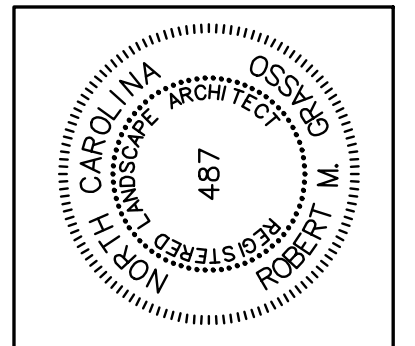
PROJECT INFORMATION
OWNER/APPLICANT: EMANUEL MOLDAVIAN CHURCH OF ASHEVILLE
 128 BRICKYARD ROAD
 ASHEVILLE, NC 28805
 PHONE: 828/645-0553
 CONTACT: IVAN DORIY
LAND PLANNER: LAND PLANNING COLLABORATIVE, P.A.
 17 ARLINGTON STREET, SUITE B
 ASHEVILLE, NC 28801
 PHONE: 828/253-3600
 CONTACT: ROBERT M. GRASSO, RLA
CIVIL ENGINEER: DAVIS CIVILSOLUTIONS, P.A.
 134A CHARLOTTE HWY.
 ASHEVILLE, NORTH CAROLINA 28803
 PHONE: 828/299-9447
 CONTACT: GARY DAVIS, P.E.
SURVEYOR: NC SURVEY, P.C.
 96 CENTRAL AVENUE
 ASHEVILLE, NORTH CAROLINA 28801
 PHONE: 828/252-1530
 CONTACT: GERALD W. STEVENSON, PLS

SITE INFORMATION
PIN: 9639-12-0664 & 9639-13-0266
DEED BOOK & PAGE: 4363/0325
ADDRESS: 128 BRICKYARD ROAD
ZONING CLASSIFICATION: R-3
PROPOSED USE: RESIDENTIAL SUBDIVISION
TOTAL ACREAGE: 14.25 AC.
10 LOT SUBDIVISION ACREAGE: 9.80 AC.
UNIT DENSITY: 0.7 LOTS (UNITS)/ACRE
AVERAGE SLOPE: 16.39%
ACREAGE >35%: 0.304 AC.
FRONT BUILDING SETBACK: 20'
SIDE BUILDING SETBACK: 10'
REAR BUILDING SETBACK: 20'
NO. OF LOTS: 11 LOTS
SMALLEST LOT ACREAGE: 18,541 SF
ROAD LENGTH: 976 LF
STREET LIGHTS: 100% CUT-OFF FIXTURE
ROAD MAINTENANCE: PRIVATELY OWNED & MAINTAINED
WATER: ASHEVILLE WATER SYSTEM
SANITARY SEWER: INDIVIDUAL SEPTIC
UTILITIES: UNDERGROUND POWER

- GENERAL NOTES:**
- INDIVIDUAL SEPTIC SYSTEM LOCATIONS WILL BE APPROVED BY BUNCOMBE COUNTY HEALTH DEPT. PRIOR TO RECORDATION OF FINAL PLAT.
 - BY GRAPHICAL DETERMINATION, PORTIONS OF THE PROPERTY ARE LOCATED IN FLOOD ZONE AE PER MAP #3700963900, DATED JANUARY 6, 2010.
 - THE SUBDIVISION ROAD IS CONTAINED WITHIN A CORRIDOR NOT EXCEEDING 90' IN WIDTH OR 60' IN HEIGHT.
 - THE SUBDIVISION ROAD IS NOT CONSTRUCTED IN AREAS DESIGNATED AS HIGH OR MODERATE SLOPE STABILITY HAZARD, EXCEEDING 30% SLOPES OR HAVING COLLUVIAL SOILS.
 - NO LOT SLOPE PERPENDICULAR TO THE ROAD EXCEEDS 18%.
 - THE SUBDIVISION IS NOT A DRASTIC VARIATION HILLSIDE DEVELOPMENT.
 - THE LAND IS CURRENTLY OWNED BY EMANUEL MOLDAVIAN CHURCH OF ASHEVILLE. THE LOTS WILL BE FEE-SIMPLE LOTS. THE PARK & ROAD R.O.W. WILL REMAIN UNDER THE OWNERSHIP OF EMANUEL MOLDAVIAN CHURCH OF ASHEVILLE.
 - THE STREETS & UTILITIES WILL BE OWNED & MAINTAINED BY EMANUEL MOLDAVIAN CHURCH OF ASHEVILLE.
 - THE SUBDIVISION IS NOT A DRASTIC VARIATION HILLSIDE DEVELOPMENT.

Granted approval at the 5/4/2015 Planning Board meeting with the following conditions:
 The subdivision was granted a variance from §70-67(2) (3), Road Design Standards, to allow a reduction in required road width where the centerline curve radii is less than 90 degrees at the November 17, 2014 Board of Adjustment meeting.

- Proof of acceptance of the water lines into the City of Asheville's water system is required prior to approval of a final plat.
- Provide proof of preliminary soils investigation that will evaluate the feasibility of developing a subdivision served by individual septic systems, which shall be done by a professional such as a soils engineer or soils scientist.
- Provide a copy of the stormwater management plan and transmittal letter to the Buncombe County Stormwater Administrator or a written statement from the Buncombe County Stormwater Administrator stating that a stormwater management plan has been submitted and approved for the project.
- Provide proof of a NCDOT driveway permit, if required.
- Provide proof of approval of E-911 addressing or indicate approved addresses and road names on final plat.
- Provide proof of approval of a flood development permit by the Buncombe County Flood Damage Prevention Ordinance Administrator.



NC SURVEY, P.C.
 96 CENTRAL AVENUE
 ASHEVILLE, NORTH CAROLINA 28801
 PHONE: 828/252-1530
 CONTACT: GERALD W. STEVENSON, PLS

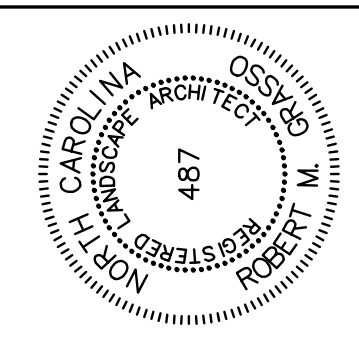
PRELIMINARY PLAT

EMANUEL SUBDIVISION
HAZEL WARD, ASHEVILLE TOWNSHIP
BUNCOMBE COUNTY, NORTH CAROLINA

JOB NO.: 203300
 DWG. NAME: eman-sub.dwg
 DATE: MARCH 27, 2015

REVISION:	DATE:	BY:
1		
2		
3		
4		

SHEET
1 OF 5



PROJECT INFORMATION

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128 BRICKYARD ROAD
ASHEVILLE, NC 28805
PHONE: 828/645-0553
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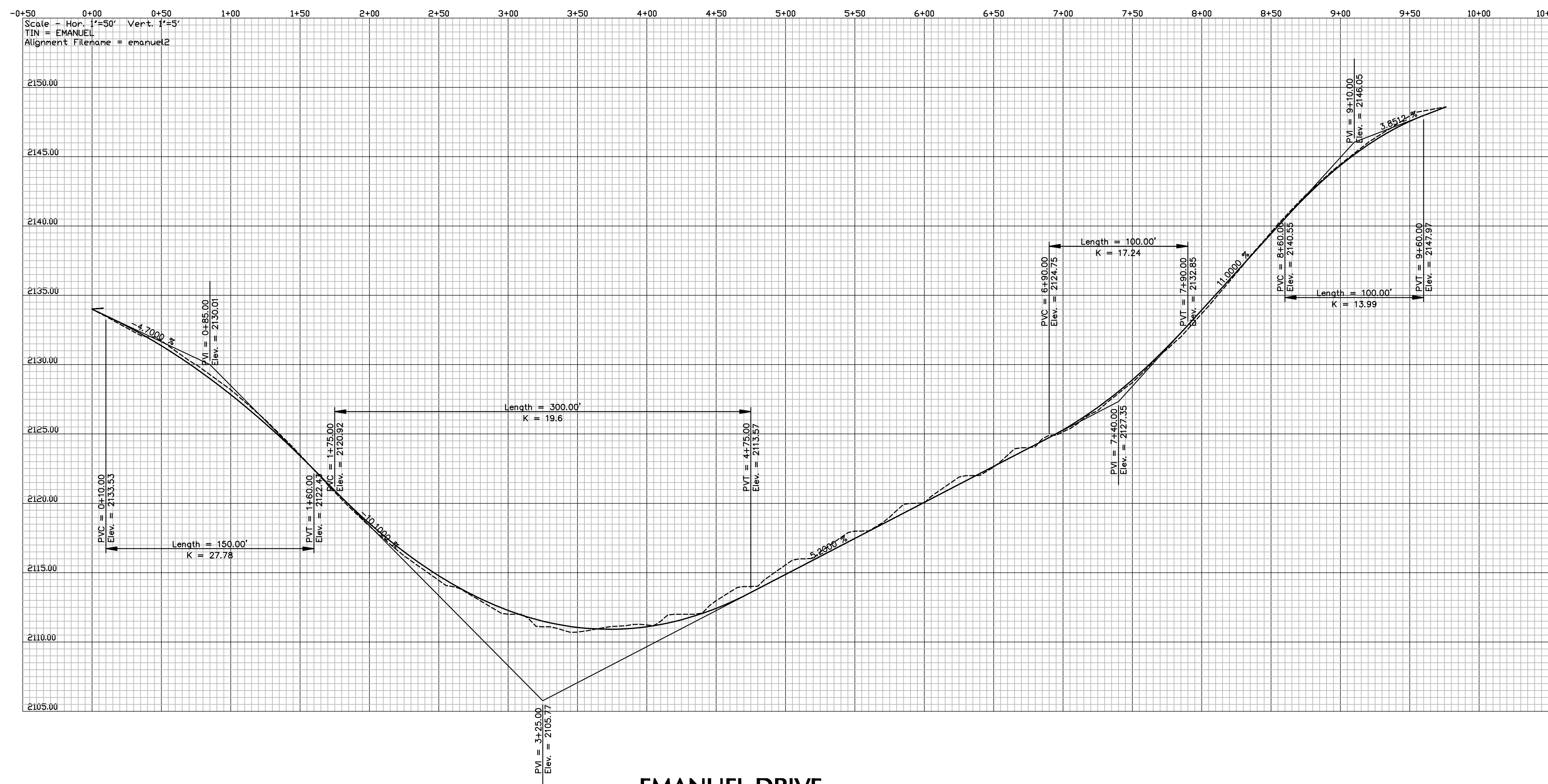
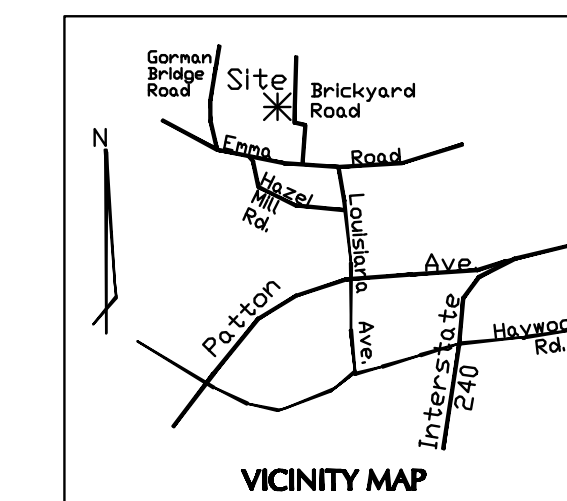
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SITE INFORMATION

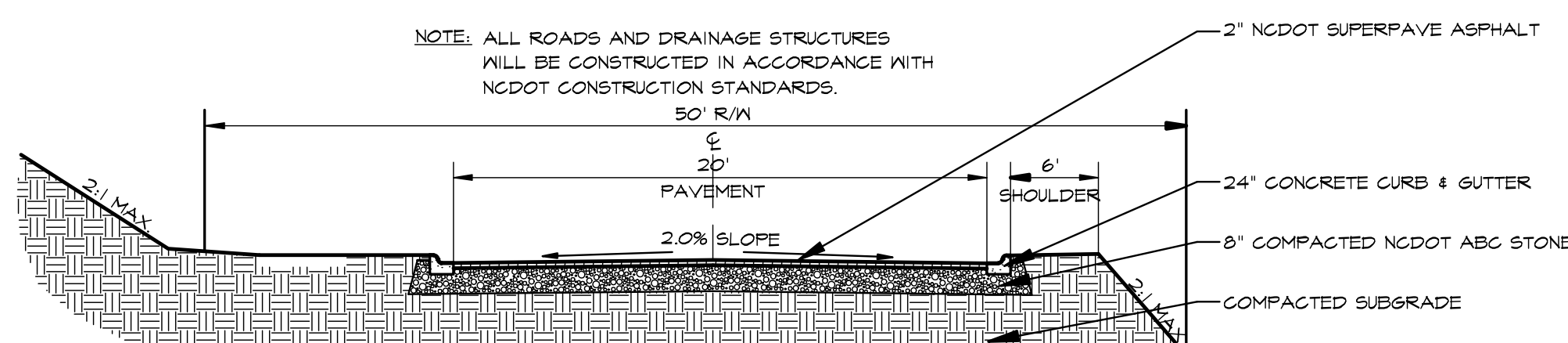
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TOTAL ACREAGE: 14.25 AC.
9 LOT SUBDIVISION ACREAGE: 9.80 AC.
AVERAGE SLOPE: 16.39%
ACREAGE >35%: 0.304 AC,
FRONT BUILDING SETBACK: 20'
SIDE BUILDING SETBACK: 10'
REAR BUILDING SETBACK: 20'
NO. OF LOTS: 11 LOTS
SMALLEST LOT ACREAGE: 0.426 AC.
ROAD LENGTH: 976 LF
STREET LIGHTS: 100% CUT-OFF FIXTURE
ROAD MAINTENANCE: PRIVATELY MAINTAINED
WATER: ASHEVILLE WATER SYSTEM
SANITARY SEWER: INDIVIDUAL SEPTIC
UTILITIES: UNDERGROUND POWER,

GENERAL NOTES:

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EMANUEL DRIVE



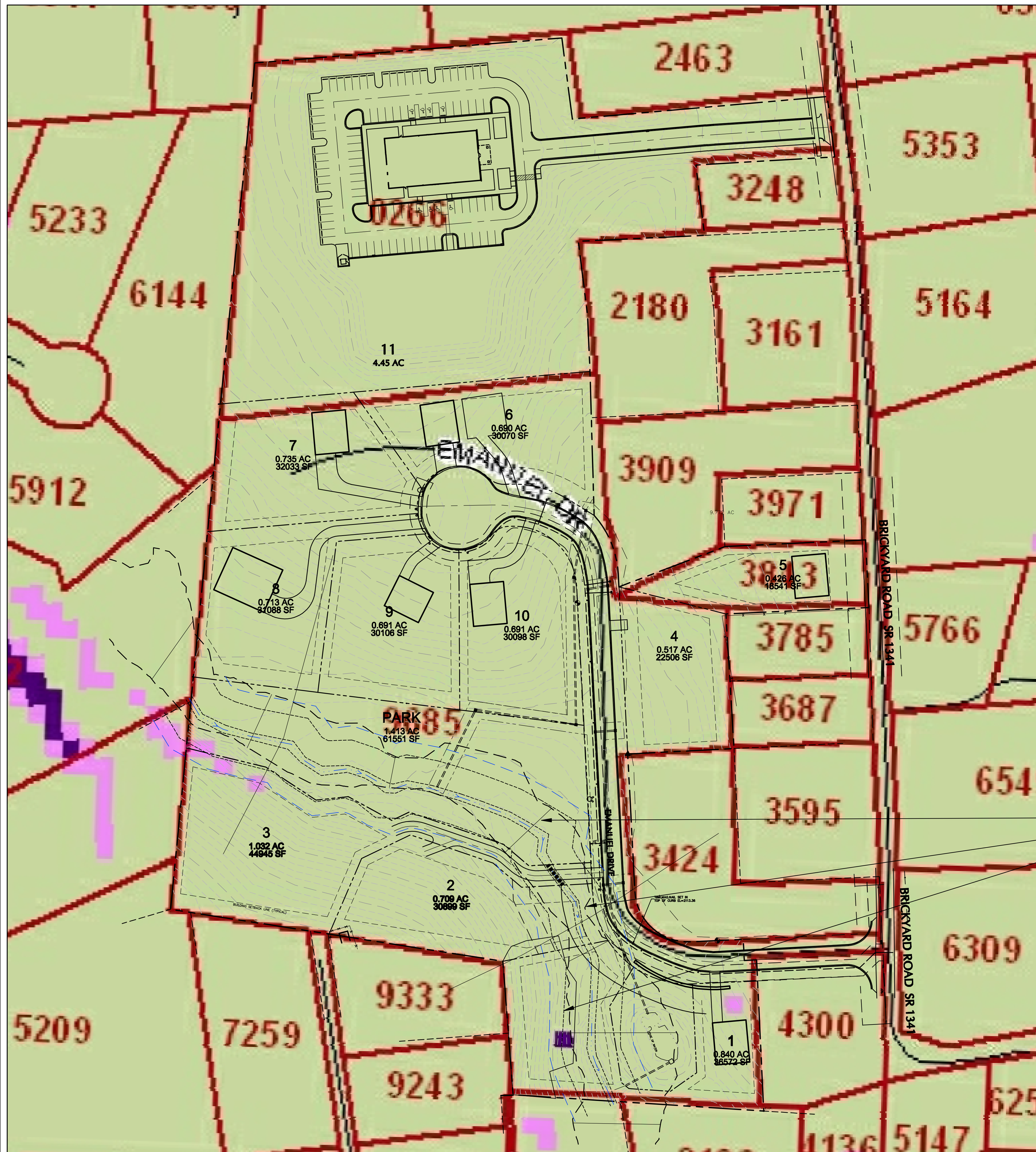
ROAD CROSS-SECTION
NOT TO SCALE

ROAD PROFILE

EMANUEL SUBDIVISION
HAZEL WARD, ASHEVILLE TOWNSHIP
BUNCOMBE COUNTY, NORTH CAROLINA

JOB NO.: 203300
DWG. NAME: eman-site.dwg
DATE: MARCH 27, 2015

REV.	DATE	BY:
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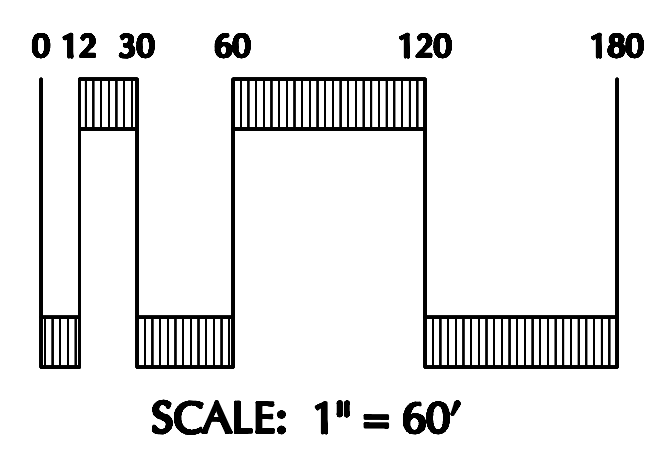
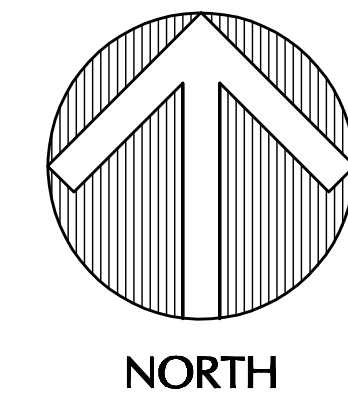
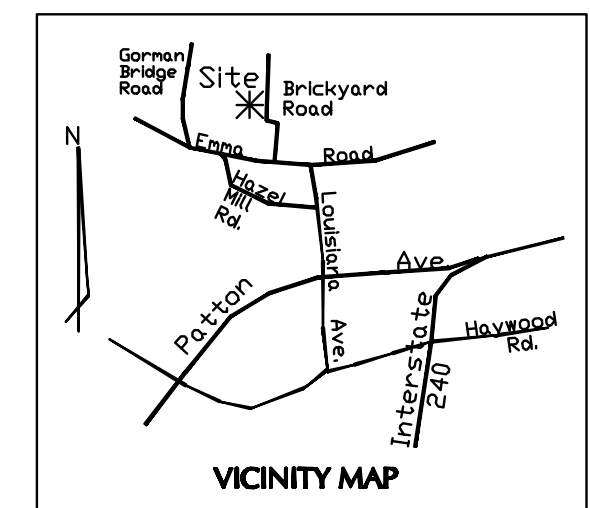
STUDY CROSS-SECTION (TYP.)
 100 YEAR FLOOD ZONE (TYP.)
 30' TROUT BUFFER (TYP.)

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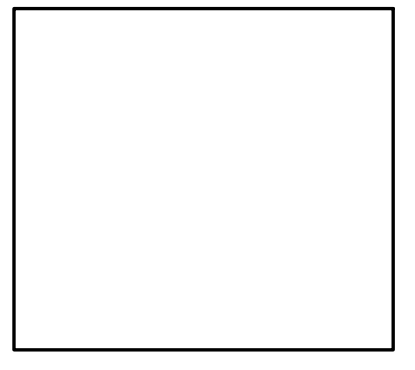
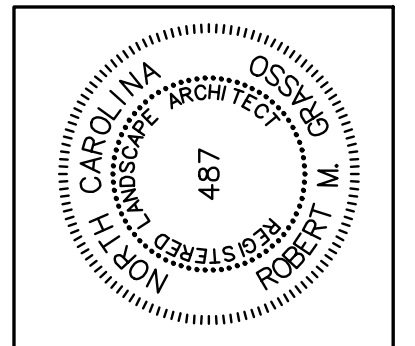
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SLOPE STABILITY LEGEND
 LOW HAZARD
 MEDIUM HAZARD
 HIGH HAZARD



LAND PLANNING COLLABORATIVE
 Landscape Architects • Land Planners
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 EMAIL: lgasso@landplanning.com

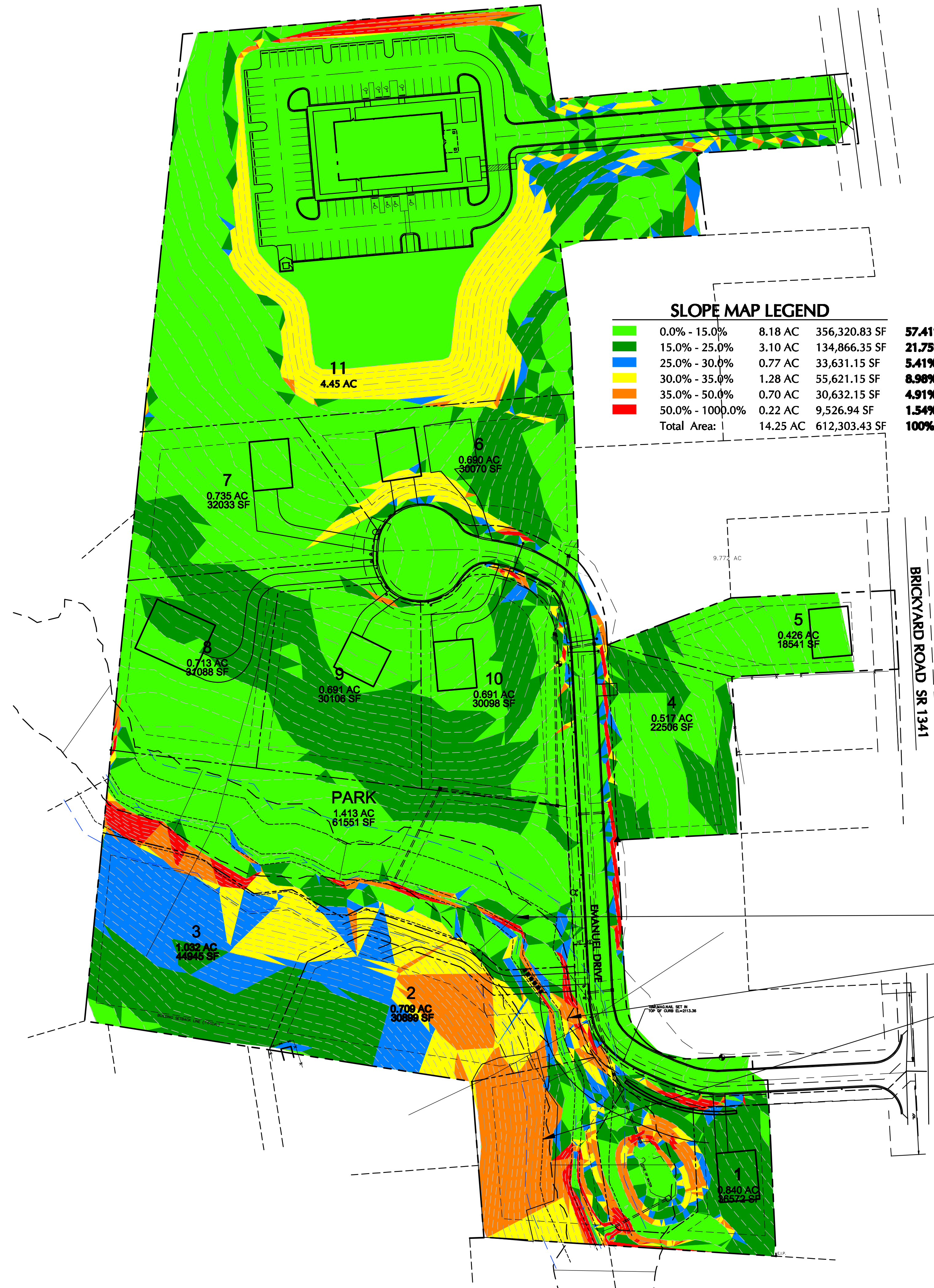


SLOPE STABILITY MAP

EMANUEL SUBDIVISION
 HAZEL WARD, ASHEVILLE TOWNSHIP
 BUNCOMBE COUNTY, NORTH CAROLINA

JOB NO.: 203300
 DWG. NAME: eman-sha.dwg
 DATE: MARCH 27, 2015

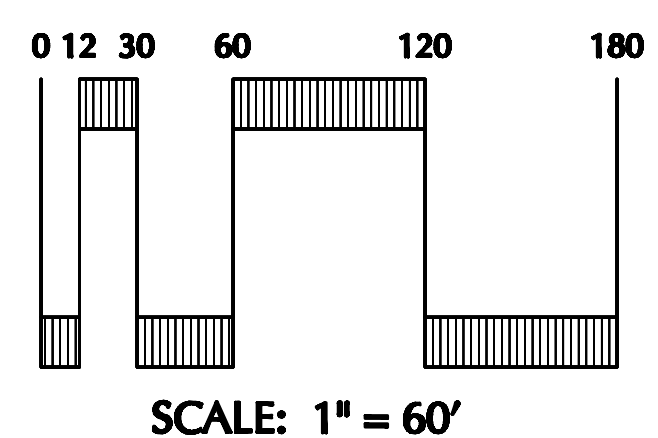
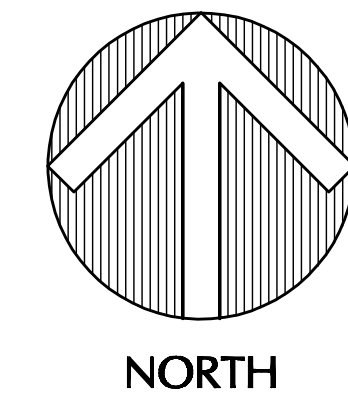
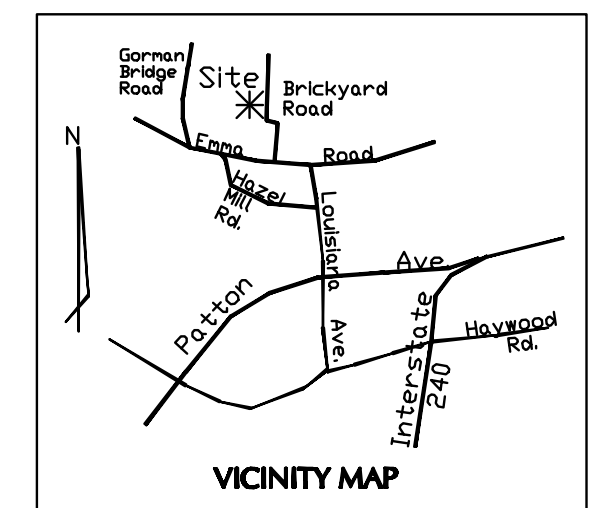
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SLOPE MAP LEGEND

0.0% - 15.0%	8.18 AC	356,320.83 SF	57.41%
15.0% - 25.0%	3.10 AC	134,866.35 SF	21.75%
25.0% - 30.0%	0.77 AC	33,631.15 SF	5.41%
30.0% - 35.0%	1.28 AC	55,621.15 SF	8.98%
35.0% - 50.0%	0.70 AC	30,632.15 SF	4.91%
50.0% - 100.0%	0.22 AC	9,526.94 SF	1.54%
Total Area:	14.25 AC	612,303.43 SF	100%

STUDY CROSS-SECTION (TYP.)
 100 YEAR FLOOD ZONE (TYP.)
 30' TROUT BUFFER (TYP.)

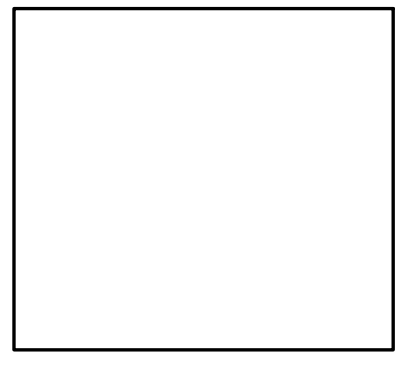
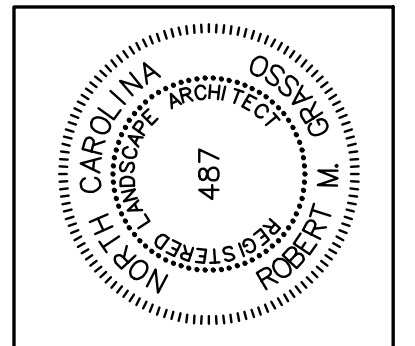


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 (828) 242-0111 (O)
 EMAIL: lpc@landplanningcollab.com



SLOPE ANALYSIS MAP

EMANUEL SUBDIVISION
 HAZEL WARD, ASHEVILLE TOWNSHIP
 BUNCOMBE COUNTY, NORTH CAROLINA

JOB NO.: 203300
 DWG. NAME: eman-slu.dwg
 DATE: MARCH 27, 2015

REV.	DATE	BY:
1	-	-
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ATTACHMENT B

Buncombe County Planning Board Meeting
Recommended Staff Conditions
SUB2015-00112
May 4, 2015
Emanuel Subdivision

*The subdivision was granted a variance from **§70-67(2) (3), Road Design Standards**, to allow a reduction in required road width where the centerline curve radii is less than 90 degrees at the November 17, 2014 Board of Adjustment meeting.*

If approved by the Buncombe County Planning Board, the applicant shall provide the following information submitted to the Buncombe County Department of Planning and Development:

1. Proof of acceptance of the water lines into the City of Asheville's water system is required prior to approval of a final plat.
2. Provide proof of preliminary soils investigation that will evaluate the feasibility of developing a subdivision served by individual septic systems, which shall be done by a professional such as a soils engineer or soils scientist.
3. Provide a copy of the stormwater management plan and transmittal letter to the Buncombe County Stormwater Administrator or a written statement from the Buncombe County Stormwater Administrator stating that a stormwater management plan has been submitted and approved for the project.
4. Provide proof of a NCDOT driveway permit, if required.
5. Provide proof of approval of E-911 addressing or indicate approved addresses and road names on final plat.
6. Provide proof of approval of a flood development permit by the Buncombe County Flood Damage Prevention Ordinance Administrator.

Blue Ridge Parkway Overlay Draft

Sec. 78-581. Definitions.

Building height means the vertical distance of any building or structure, as measured from the highest ground level at the structure foundation to the uppermost point of the roof. For purposes of the Blue Ridge Parkway, Steep Slope/High Elevation and Protected Ridge Overlay Districts only, building height means the average of the vertical distance measured from the highest ground level at the structure foundation to the uppermost point of the roof and the vertical distance measured from the lowest ground level at the structure foundation to the uppermost point of the roof.

Sec. 78-643. Blue Ridge Parkway Overlay District.

(a) *Purpose.* Realizing the importance of the Blue Ridge Parkway to the economy of Asheville, Buncombe County, and western North Carolina, the Blue Ridge Parkway Overlay District is created to protect and preserve the unique features of this asset to the city, the county, and the region. The standards established in this district will protect the scenic quality of the Blue Ridge Parkway and reduce encroachment on its rural setting.

(b) *Applicability.* The provisions set forth in this section for the Blue Ridge Parkway Overlay District shall apply to all properties within 1,320 feet of the centerline of the Blue Ridge Parkway located within Buncombe County's zoning jurisdiction. Both privately and publicly owned property shall be subject to the requirements set forth herein.

(c) *Development standards.*

(1) *Setback requirements.* All structures to be located adjacent to the Blue Ridge Parkway boundary shall be setback a minimum of 50 feet from the boundary.

~~a. *Principal buildings.* Principal buildings and structures to be located adjacent to the Blue Ridge Parkway shall have a minimum setback of 50 feet from the boundary of property owned by the United States government and designated as the Blue Ridge Parkway if the buildings and structures are visible from the Blue Ridge Parkway roadway.~~

~~b. *Accessory buildings.* Accessory buildings and structures to be located adjacent to the Blue Ridge Parkway shall have a minimum setback of 30 feet from the boundary of property owned by the United States government and designated as the Blue Ridge Parkway if the buildings and structures are visible from the Blue Ridge Parkway roadway.~~

(2) *Building heights.* ~~No building or structure shall be constructed with a height in excess of 40 feet within 1,000 feet of the centerline of the Blue Ridge Parkway, if visible from the centerline of the Blue Ridge Parkway roadway. The maximum building height in the Blue Ridge Parkway Overlay District shall be 35 feet.~~

~~(3) *Buffering requirements.* A buffer for development of any type, other than single-family residential, which is to be located adjacent to the Blue Ridge Parkway within 1,000 feet of the centerline of the Blue Ridge Parkway and which will be visible between April and October from the Blue Ridge Parkway roadway, shall be provided according to the following specifications:~~

- ~~a. A minimum bufferyard width of 30 feet measured from the property line is required and shall be located within the required setback.~~
- ~~b. Total number of plants: Ten plants per 100 linear feet are required, of which five should be evergreen trees (min. six feet at planting), three should be large deciduous trees (min. two-inch caliper, ten to 12 feet at planting), and two should be small deciduous trees (min. 1.5-inch caliper, eight to ten feet at planting). The preservation of existing trees within the bufferyard is encouraged.~~

(3) Lot size standards. Any new lot created in the Blue Ridge Parkway Overlay District shall be a minimum of 1.5 acres.

(4) Density standards. No more than 2 dwelling units per lot of record shall be allowed in the Blue Ridge Parkway Overlay District except in those zoning districts that allow multifamily dwelling units. The maximum multifamily residential dwelling units allowed per acre shall be 0.75. No more than two principal buildings or structures shall be allowed on a single lot of record unless a planned unit development is approved by the Board of Adjustment.

(5) Disturbed and Impervious standards.

(a) The maximum gross site area disturbance allowed in the Blue Ridge Parkway Overlay District for any single lot, excluding disturbance for installation of individual septic systems, shall be:

- for lots less than 2.0 acres shall be 0.3 acres
- for lots 2.0 acres and larger shall be 15 percent

(b) The maximum gross site area impervious surface allowed in the Blue Ridge Parkway Overlay District for any single lot shall be:

- for lots less than 2.0 acres shall be 0.16 acres
- for lots 2.0 acres and larger shall be 8 percent

These limits shall apply to individual lot improvements, including drives, utilities, and stormwater controls but shall not apply to installation of individual septic systems. When communal infrastructure, including but not limited to roadways, shared drives, public utilities, public facilities and stormwater controls, is installed in accordance with an approved minor or major subdivision plan, the disturbed and impervious area shall be regulated by the Land Development and Subdivision Ordinance and not by this article.

Expansions to structures existing at the time this article was adopted must meet the gross site area disturbed and impervious limitations, however the disturbed and impervious area of the existing development is not required to be included in the disturbed and impervious area calculations.

(6) Screening standards. The following screening regulations shall be required within the Blue Ridge Parkway Overlay District for all new structures and any

modification to an existing structure exceeding 50 percent of the appraised value of the structure.

The surfaces of the structure which are oriented to the Blue Ridge Parkway must be screened at a ratio of one tree of 1.5 inch diameter measured 6 inches above the root ball for every 200 square feet of planar surface. Planar surface is defined as the combined exterior surface area of all vertical surfaces within a single face of the structure. Trees planted to achieve the required ratio must be planted no greater than 50 feet from the furthest extending portion of the structure (measured perpendicularly). Trees must be of varying, native species, as defined by the Natural Resource Conservation Service of the United States Department of Agriculture, and no single species shall comprise more than 50 percent of the trees planted. Trees shall be spaced no less than 10 feet but no greater than 30 feet apart.

Existing trees within the area of allowed disturbance which are left intact and that appear in good health can be credited toward the required ratio. The following credit system will be observed:

<u>Tree Dimensions</u>	<u>Credits</u>
<u>2.5" to 4" DBH (minimum 8' tall)</u>	<u>1 tree</u>
<u>4" to 6" DBH (minimum 15' tall)</u>	<u>1.5 trees</u>
<u>6" to 10" DBH (minimum 20' tall)</u>	<u>2 trees</u>
<u>10" to 16" DBH (minimum 25' tall)</u>	<u>2.5 trees</u>
<u>16" or greater (minimum 30' tall)</u>	<u>3 trees</u>

Trees to be credited shall be marked using flagging tape prior to site disturbance in order to ensure their health throughout site development.